

EX. 05

**Deposition
Transcript of
T.D.H.
(w/o exhibits)**

<p style="text-align: right;">Page 1</p> <p>1 IN THE UNITED STATES DISTRICT COURT 2 FOR THE NORTHERN DISTRICT OF ALABAMA 3 MIDDLE DIVISION 4 5 CASE NO.: 4:15-CV-01152-VNU 6 7 MICHAEL R. LEE HELM, 8 Plaintiff; 9 vs. 10 RAINBOW CITY, ALABAMA, et al., 11 Defendants. 12 13 DEPOSITION OF TDH 14 15 STIPULATIONS 16 17 IT IS STIPULATED AND AGREED by 18 and between the parties through their 19 respective counsel, that the deposition of 20 TDH may be taken before ELIZABETH LAW 21 LANKFORD, Commissioner, at 140 South Ninth 22 Street, Gadsden, Alabama, on the 7th day of 23 June 2016.</p>	<p style="text-align: right;">Page 3</p> <p>1 FORD, HOWARD & CORNETT, by 2 Mr. H. Edgar Howard, 140 South Ninth Street, 3 Gadsden, Alabama, 35901, appearing on behalf 4 of the Defendants. 5 STUBBS, SILLS & FRYE, by Mr. C. 6 David Stubbs, 1724 South Quinard Avenue, 7 Anniston, Alabama, 36202, appearing on behalf 8 of the Defendants. 9 F&B Law Firm, by Ms. Allison B. 10 Chandler, 213 Greene Street, Huntsville, 11 Alabama, 35801, appearing on behalf of the 12 Defendants. 13 14 INDEX 15 16 EXAMINATION BY: PAGE NUMBER: 17 Mr. Howard 5 18 Mr. Stubbs 140 19 Ms. Chandler 243 20 Mr. Howard 276 21 Mr. Harp 277 22 23</p>
<p style="text-align: right;">Page 2</p> <p>1 IT IS FURTHER STIPULATED 2 AND AGREED that it shall not be necessary for 3 any objections to be made by counsel to any 4 questions except as to form or leading 5 questions, and that counsel for the parties 6 may make objections and assign grounds at the 7 time of the trial, or at the time said 8 deposition is ordered in evidence, or prior 9 thereto.</p> <p>10 IT IS FURTHER STIPULATED 11 AND AGREED that the notice of filing of the 12 deposition by the Commissioner is waived.</p> <p>13 14 APPEARANCES 15 16 HARP LAW, LLC, By Mr. H. Gregory 17 Harp, 7124 Crown Lane, Trussville, Alabama, 18 35173, appearing on behalf of the Plaintiff. 19 STONE LAW FIRM, by Mr. Moses O. 20 Stone, 2015 1st Avenue North, Birmingham, 21 Alabama, 35203, appearing on behalf of the 22 Plaintiff. 23</p>	<p style="text-align: right;">Page 4</p> <p>1 DEFENDANT'S EXHIBIT: 2 1 Facebook Post 252 3 4 I, ELIZABETH LAW LANKFORD, a 5 Court Reporter of Southside, Alabama, acting 6 as Commissioner, certify that on this date, as 7 provided by the Federal Rules of Civil 8 Procedure and the foregoing stipulation of 9 counsel, there came before me at the Law 10 Offices of Ford, Howard & Cornett, 140 South 11 Ninth Street, Gadsden, Alabama, beginning at 12 9:15 a.m., TDH, witness in the above cause, 13 for oral examination, wherupon the following 14 proceedings were had: 15 16 TDH, 17 being first duly sworn was examined and 18 testified as follows: 19 20 THE COURT REPORTER: Usual 21 stipulations? 22 MR. HARP: She'll read and sign. 23</p>

1 EXAMINATION
 2 BY MR. HOWARD:
 3 Q. Would you please state your full
 4 name?
 5 A. TDH.
 6 Q. With one L or two?
 7 A. Two.
 8 Q. TDH, I met you a minute ago. My
 9 name is Ed Howard. I represent the City of
 10 Rainbow City in this lawsuit.
 11 I'm going to be asking you a
 12 number of questions, some background about you
 13 and also about the events and about things
 14 that have happened to you since the events
 15 pertaining to this and pertaining to you.
 16 If at any time you don't
 17 understand my question, will you please let me
 18 know that you don't understand the question?
 19 A. Yes, sir.
 20 Q. Is that fair? I'll tell you
 21 what both Mr. Harp and I and the other
 22 attorneys want is to be assured that you're
 23 answering the question that we think we are

1 A. [REDACTED]
 2 Q. In the City of [REDACTED]?
 3 A. Yes, sir.
 4 Q. What we call on the mountain?
 5 A. Yes, sir.
 6 Q. How long have you lived there?
 7 A. Maybe a year.
 8 Q. Who lives with you at that
 9 residence?
 10 A. My mom and my two sisters and my
 11 sister's child.
 12 Q. I know your mom's name. What
 13 are your two sisters' names that live there?
 14 A. [REDACTED]
 15 Q. [REDACTED] is not also a [REDACTED]
 16 too, is she?
 17 A. No. I was supposed to be the
 18 last child.
 19 Q. I hear you. What did you say is
 20 your younger sister's name?
 21 A. [REDACTED]
 22 Q. [REDACTED]. How old is she?
 23 A. 16.

1 asking. Fair enough?
 2 A. Absolutely.
 3 Q. Okay. If you need to take a
 4 break at any time, no problem. This is not
 5 meant to be an inquisition. This is meant to
 6 be for me and these others to extract
 7 information from you.
 8 Have you ever had your
 9 deposition taken before?
 10 A. Yes, sir.
 11 Q. In what?
 12 A. Another situation.
 13 Q. Car wreck?
 14 A. Yes.
 15 Q. It was in this office, wasn't
 16 it, or was it? Do you know?
 17 A. I'm pretty sure. Yes, sir.
 18 Q. Other than your car wreck
 19 deposition, have you had one?
 20 A. No, sir.
 21 Q. What's your date of birth?
 22 A. [REDACTED]
 23 Q. Where do you live?

1 Q. And [REDACTED] is how old?
 2 A. 19.
 3 Q. Which of them has the child?
 4 A. [REDACTED]
 5 Q. How old is the child?
 6 A. [REDACTED] will be a year [REDACTED]
 7 Q. Does that cover everybody who
 8 lives at that house?
 9 A. Yes, sir.
 10 Q. Before living -- is that a house
 11 or an apartment?
 12 A. It's a house.
 13 Q. Before living in that house --
 14 well, everything else I guess is going to be
 15 -- what's the address? Everything else is
 16 going to be redacted here so we might as well
 17 find -- or the street, if you don't know --
 18 A. [REDACTED]. I'm not sure of
 19 the numbers.
 20 Q. Is that a -- does your family
 21 own that house, or do you rent it?
 22 A. I'm not sure.
 23 Q. Before living there, where did

Page 9	Page 11
<p>1 you live?</p> <p>2 A. Well, I was -- I actually lived</p> <p>3 with my sister in Southside, but I was kind of</p> <p>4 back and forth between her and my mom because</p> <p>5 I had to work. So they would take turns.</p> <p>6 Q. So which sister did you live</p> <p>7 with in Southside?</p> <p>8 A. My older sister.</p> <p>9 Q. [REDACTED]?</p> <p>10 A. No. Nicole.</p> <p>11 Q. How old is Nicole?</p> <p>12 A. 30.</p> <p>13 Q. Is she married?</p> <p>14 A. She is engaged.</p> <p>15 Q. Has she been married previously?</p> <p>16 A. I'm not sure.</p> <p>17 Q. Okay. She still lives in</p> <p>18 Southside?</p> <p>19 A. Yes, sir.</p> <p>20 Q. Who is she engaged to?</p> <p>21 A. Her husband.</p> <p>22 Q. She's reengaged to her husband?</p> <p>23 A. No, not the same one. I mean, I</p>	<p>1 Q. Who is her husband?</p> <p>2 A. Nick.</p> <p>3 Q. Okay. You don't know Nick's</p> <p>4 last name, do you?</p> <p>5 A. Anderson.</p> <p>6 Q. Before living with your sister</p> <p>7 in Southside where did you live?</p> <p>8 A. With my mom.</p> <p>9 Q. And where was that?</p> <p>10 A. [REDACTED].</p> <p>11 Q. But at a different place?</p> <p>12 A. Yes.</p> <p>13 Q. Do you know Nicole's address?</p> <p>14 A. No.</p> <p>15 Q. Street name? Do you know what</p> <p>16 the street is named?</p> <p>17 A. No, I'm not sure.</p> <p>18 Q. How about the house where your</p> <p>19 mom lived in Southside?</p> <p>20 A. It was called [REDACTED] or</p> <p>21 [REDACTED].</p> <p>22 Q. Okay. About how long did you</p> <p>23 live with your mom in Southside?</p>
Page 10	Page 12
<p>1 don't know if she was married before, but his</p> <p>2 name is Nick.</p> <p>3 Q. So she is engaged to Nick?</p> <p>4 A. Yes.</p> <p>5 Q. She has to write these things</p> <p>6 down and uh-huhs and uh-uh --</p> <p>7 A. Yeah. I keep forgetting.</p> <p>8 Q. You have probably been told</p> <p>9 about that.</p> <p>10 Nick is the man to whom she is</p> <p>11 engaged?</p> <p>12 A. Yes, sir.</p> <p>13 Q. But not yet married?</p> <p>14 A. No, sir.</p> <p>15 Q. Even though they act like</p> <p>16 husband -- he acts like a husband? I'm</p> <p>17 assuming, because that's what you just said?</p> <p>18 MR. HARP: Object to the form.</p> <p>19 Q. Is that right?</p> <p>20 A. Yeah. They love each other.</p> <p>21 Q. When you said husband a minute</p> <p>22 ago, what did you mean?</p> <p>23 A. Her husband.</p>	<p>1 A. Three years, three or four</p> <p>2 years.</p> <p>3 Q. Before that, where did you live?</p> <p>4 A. [REDACTED]. It was a different</p> <p>5 residence.</p> <p>6 Q. Was there some point in time</p> <p>7 when you lived in Rainbow city?</p> <p>8 A. We did stay in Rainbow City but</p> <p>9 not for long, though.</p> <p>10 Q. And was that your mom's</p> <p>11 residence at the time you stayed in Rainbow</p> <p>12 City?</p> <p>13 A. Yes.</p> <p>14 Q. Okay. Was that before or after</p> <p>15 these Southsides with your mom?</p> <p>16 A. That was kind of like in between</p> <p>17 but -- yeah, it wasn't really -- we didn't</p> <p>18 stay there for long.</p> <p>19 Q. Okay. Was that on [REDACTED]</p> <p>20 [REDACTED], or do you remember?</p> <p>21 A. It sounds like it, yes, or [REDACTED]</p> <p>22 [REDACTED]. I'm not sure.</p> <p>23 Q. Were you near the Episcopal</p>

<p style="text-align: right;">Page 13</p> <p>1 Church, or was it more like you turn behind 2 the fitness place that's no longer a fitness 3 place?</p> <p>4 A. Fitness Plus, yeah.</p> <p>5 Q. Okay. Anywhere before 6 Southside? I know we are getting back --</p> <p>7 A. (Witness shakes head 8 negatively.)</p> <p>9 Q. So you pretty much grew up, 10 quote, unquote, in Southside?</p> <p>11 A. (Witness nods head 12 affirmatively.)</p> <p>13 Q. Is that right?</p> <p>14 A. I lived in Southside.</p> <p>15 Q. Where were you born?</p> <p>16 A. Gadsden.</p> <p>17 Q. And have you gone to the schools 18 in Gadsden or somewhere?</p> <p>19 A. Southside, yes.</p> <p>20 Q. Okay. Southside Elementary?</p> <p>21 A. Yes.</p> <p>22 Q. And Southside High?</p> <p>23 A. Yes, sir.</p>	<p style="text-align: right;">Page 15</p> <p>1 Q. They are children of your dad 2 and somebody else?</p> <p>3 A. Yes, sir.</p> <p>4 Q. I understand your dad died some 5 time -- a number of years ago, correct?</p> <p>6 A. Yes, sir.</p> <p>7 Q. How old were you when he died?</p> <p>8 A. I was just about to turn three.</p> <p>9 Q. What was your dad's name?</p> <p>10 A. Daniel Patrick Helm.</p> <p>11 Q. Since your dad died, up to the 12 present day, have you had in your life any 13 father-figure types?</p> <p>14 A. My brother.</p> <p>15 Q. Okay. I didn't ask you about 16 brothers so --</p> <p>17 A. Well, that's the only father- 18 figure I have had.</p> <p>19 Q. I understand. That's a good 20 answer.</p> <p>21 MR. HARP: Just answer the 22 question.</p> <p>23 Q. What's your brother's name?</p>
<p style="text-align: right;">Page 14</p> <p>1 Q. Is there one between those?</p> <p>2 A. Middle school.</p> <p>3 Q. John Jones or --</p> <p>4 A. Middle school.</p> <p>5 Q. Southside Middle?</p> <p>6 A. No, Rainbow Middle.</p> <p>7 Q. Rainbow Middle. So Southside 8 Elementary, Rainbow Middle, Southside High 9 School?</p> <p>10 A. Yes, sir.</p> <p>11 Q. Okay. Aside from [REDACTED] 12 [REDACTED] and [REDACTED], do you have any other 13 sisters?</p> <p>14 A. Yes, but they are not full.</p> <p>15 Q. Half sisters?</p> <p>16 A. Yes.</p> <p>17 Q. Do they live in Alabama?</p> <p>18 A. Uh-uh (indicating no).</p> <p>19 Q. That's a no?</p> <p>20 A. That's a no.</p> <p>21 Q. And I take it that they are 22 children of your mom and somebody else?</p> <p>23 A. No.</p>	<p style="text-align: right;">Page 16</p> <p>1 A. Aaron Helm.</p> <p>2 Q. How old is Aaron?</p> <p>3 A. He just turned 28, actually.</p> <p>4 Q. A-A-R-O-N?</p> <p>5 A. Yes, sir.</p> <p>6 Q. Where does he live?</p> <p>7 A. He lives with my sister.</p> <p>8 Q. In Southside?</p> <p>9 A. Yes.</p> <p>10 Q. Was there some period of time he 11 lived in Georgia?</p> <p>12 A. Years back. He didn't really 13 live there but --</p> <p>14 Q. He stayed there or went there or 15 something?</p> <p>16 A. (Witness nods head 17 affirmatively.)</p> <p>18 Q. Is that a yes?</p> <p>19 A. Yes.</p> <p>20 Q. Any other brothers?</p> <p>21 A. No.</p> <p>22 Q. And [REDACTED], [REDACTED], [REDACTED] and 23 [REDACTED] are your full sisters and brothers?</p>

	Page 17	Page 19
1	A. (Witness nods head affirmatively.)	A. Yes.
2	Q. Correct?	Q. And tenth grade?
3	A. Yes.	A. I started in seventh grade,
4	Q. Do you attend school now?	4 actually, when I was in Rainbow Middle School.
5	A. No.	5 You can get on varsity if you're, you know,
6	Q. Excuse me. Did you attend school in the 2015-2016 school year?	6 eligible.
7	A. I did until this incident.	7 Q. Okay. Any other sports?
8	Q. Okay. So this incident happened	8 A. Not school sports.
9	11 I think January of 2015?	9 Q. School sports. You said you
10	A. January 17th.	10 were in Key Club?
11	Q. Okay. Since that time have you	11 A. Yes.
12	14 attended school?	12 Q. Any other clubs that you
13	A. No, sir.	13 belonged to in school?
14	Q. In January 2015 what grade were	14 A. Spanish club.
15	17 you in?	15 Q. Since January 2015 have you
16	A. 11th.	16 played soccer anywhere outside of the school
17	Q. At Southside High?	17 setting?
18	A. Yes, sir.	18 A. No, sir.
19	Q. What, if any, activities were	19 Q. Do you work anywhere outside the
20	22 you involved in at school in either 10th or	20 home?
21	23 11th grade?	21 A. Yes, sir.
		22 Q. Where do you work?
		23 A. Lil' Pruitt's in Gadsden.
	Page 18	Page 20
1	A. Sports, and I was in Key Club.	1 Q. The drive-thru?
2	Q. What kind of sports?	2 A. Yes, sir.
3	A. Soccer.	3 Q. How much do you work there?
4	Q. How long have you played soccer?	4 A. As much as I can. I just
5	A. Since I was seven years old.	5 started working there, but I get -- I'd say
6	Q. In the various leagues and so	6 it's at least 30 hours a week.
7	7 forth around?	7 Q. Okay. When you say you just
8	A. Yes, sir.	8 started working there, when?
9	Q. And were you on the -- well, did	9 A. Maybe a month ago.
10	10 Southside High School have a soccer team?	10 Q. Okay. Before working at Lil'
11	A. Yes, sir.	11 Pruitt's did you work any outside the home?
12	Q. A girls soccer team, and were	12 A. I worked at Sonic in
13	13 you on it?	13 Albertville.
14	A. Yes, sir.	14 Q. For how long a time period?
15	Q. How about Rainbow Middle? Did	15 A. Maybe a month because I didn't
16	16 they have a girls soccer team?	16 live up there for long.
17	A. No.	17 Q. What had led you to begin living
18	Q. Was Rainbow Middle seventh,	18 in Albertville?
19	19 eighth and ninth grades?	19 A. Me and one of my friends had got
20	A. No. It's sixth, seventh and	20 -- we was going to room together and try to
21	21 eighth.	21 get a place together, but it just didn't work
22	Q. Sixth, seventh and eighth. So	22 out.
23	23 you played soccer in ninth grade at Southside?	23 Q. And your friend was from

<p>1 Albertville? 2 A. Yes. 3 Q. Is that a female friend or a 4 male friend? 5 A. Female. 6 Q. Before working at the Sonic in 7 Albertville, did you work anywhere outside the 8 home? 9 A. Jack's. 10 Q. Which one? 11 A. Alabama City. 12 Q. For how long a time did you work 13 at Jack's in Alabama City? 14 A. Four months -- four or five 15 months. Yeah, five, five months. 16 Q. Okay. Gradually, I'm working 17 back to at least January 2015. So before 18 Jack's did you work anywhere? 19 A. No, sir. 20 Q. So Jack's in Alabama City was 21 your first entry into the working world? 22 A. Yes, sir. 23 Q. At the time of the incident that</p>	Page 21	Page 23
<p>1 this lawsuit is about in January 2015, were 2 you living in -- let's see. Were you living 3 in Southside with your sister? 4 A. No. I was living on [REDACTED] 5 [REDACTED]. 6 Q. Okay. Since the incident in 7 January 2015, besides working outside the 8 home, have you carried on any other kind of 9 regular activities outside the home, hobbies, 10 interests, church, work, anything, even though 11 you might not have gotten paid for it? 12 A. I went to church -- I tried to 13 go to church a couple of times, but I didn't 14 -- I never -- 15 Q. Right. That's probably a poor 16 example. 17 A. Yeah. 18 Q. Any other things that you 19 regularly participated in, activities, sports, 20 service -- I don't know -- anything that took 21 you outside the home? 22 A. No. 23 Q. Okay. When did you have the car</p>	Page 22	Page 24
<p>1 wreck we mentioned a minute ago? 2 MR. HARP: Object to the form. 3 She didn't have a car wreck. 4 MR. HOWARD: Okay. 5 Q. What was the subject of your 6 deposition that you told me about? 7 A. I got hit. 8 Q. That's right. You were a 9 pedestrian? 10 A. Walking. 11 Q. Correct? 12 A. Yes. 13 Q. You were struck by a car? 14 A. Yes, sir. 15 Q. When were you struck by a car? 16 A. November of 2012. 17 Q. Let's see. Right now you are 18 18 going on 19? 19 A. Yes. 20 Q. So you were right at 15 or so 21 when you had this -- when you were struck by a 22 car? 23 A. I had just turned 15.</p> <p>1 Q. You had just turned 15. Okay. 2 Where did that happen? 3 A. In Southside. 4 Q. Where particularly? 5 A. Lasseter Road. 6 Q. Lasseter Road? How was it that 7 you were a pedestrian on Lasseter Road when 8 you were struck? 9 A. I was walking home from a 10 friend's house with two other people. 11 Q. And what happened? 12 A. We was walking. We was -- I 13 heard the car coming. The two girls were a 14 lot smaller than me. And they was on the left 15 side. I was on this side of the road. I 16 heard it coming. I told them to get out of 17 the road. I heard it coming. I heard the car 18 coming. The next thing you know it was 19 just -- Q. So y'all -- the three of you 20 were walking on the right side of the road? 21 A. In the grass. I was, yeah. 22 Q. I mean, the car that struck you 23 was from behind?</p>		

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1 A. Yes. 2 Q. And you were the furthest 3 outside into the lane, I guess is --	1 Q. Did it break any bones that you 2 know of?
4 A. No. At first they was closer 5 than I was. I was on the side. Then I had 6 them move over here (indicating).	3 A. (Witness shakes head 4 negatively.)
7 Q. And after they moved over there, 8 it was still too close and you got hit by a 9 car?	5 Q. You said you tore some 6 ligaments?
10 A. What was too close?	7 A. (Witness nods head 8 affirmatively.)
11 Q. The distance between you and the 12 car?	9 Q. In what part of your body?
13 MR. HARP: Object.	10 A. Mostly -- actually, my shoulder, 11 but my ankle was very swollen. He told me 12 that he had prescribed me rehab, physical
14 A. Well, yeah, obviously, she hit 15 me.	13 therapy, and I went to physical therapy. And 14 it got better after that.
16 Q. That's what I'm saying, 17 obviously, she hit you.	15 Q. Okay. Good. Were there any 16 other injuries to you that were caused by the 17 accident in your opinion or your experience?
18 A. Yeah.	18 MR. HARP: Object to the form.
19 Q. Did the other two get struck?	19 Q. Or that came after the injury?
20 A. No.	20 A. I had a concussion.
21 Q. What happened to you injury-wise 22 after that?	21 Q. I assume you got taken to the 22 hospital?
23 A. I had torn ligaments, and I had	23 A. Yes.
Page 26	Page 28
1 just bruises on the left side of my body. 2 Mostly my ankle.	1 Q. By ambulance?
3 Q. I'm assuming, but I may be 4 wrong, were you struck by the front of her 5 car?	2 A. No. 3 Q. Who took you?
6 A. Yes.	4 A. My mom.
7 Q. So bruises to where?	5 Q. That's right. You said you were 6 close to home.
8 A. The left side of my body.	7 Okay. Did you stay overnight in 8 the hospital?
9 Pretty much from my head to my ankle, the 10 lower part.	9 A. No.
11 Q. Sure. Had you ever actually 12 turned and saw it, or did you just know it 13 because you could hear it?	10 Q. There's mention made, as I'm 11 sure you know, in the pleadings and so forth 12 in this case that at some point you began 13 having seizures, correct?
14 A. Well, I had -- did a couple 15 takes back just because, I mean, she was 16 coming fast.	14 A. Yes.
17 Q. Right.	15 Q. And is that true?
18 A. I just had to keep turning 19 around, looking just to make sure. But I 20 didn't -- the last time I turned around she	16 A. Yes.
21 was like right there.	17 Q. Okay. Was that after this 18 accident?
22 Q. Right, sure.	19 A. The car accident?
23 A. Yeah.	20 Q. Yes.
	21 A. Yes.
	22 Q. And had they happened before the 23 car accident?

<p>1 A. No.</p> <p>2 Q. Okay. And how long after the 3 accident did those start?</p> <p>4 A. A year.</p> <p>5 Q. Between that pedestrian accident 6 and the time you started having the seizures, 7 did anything else traumatic happen to your 8 body?</p> <p>9 A. No.</p> <p>10 Q. Now, I'm not real familiar with 11 your car wreck -- with your pedestrian wreck 12 case, but -- well, let me ask you: Has that 13 case resolved? It is over?</p> <p>14 A. I'm not sure. I mean, my mom 15 handled it.</p> <p>16 Q. You haven't gone to court, 17 correct?</p> <p>18 A. My mom handles all of that.</p> <p>19 Q. You had a deposition here, 20 right?</p> <p>21 A. Uh-huh (indicating yes).</p> <p>22 Q. And you haven't actually 23 physically been to the courtroom about that</p>	Page 29	Page 31
<p>1 case yet?</p> <p>2 A. You will have to ask my mom. 3 She handles all that.</p> <p>4 Q. I know. Have you physically 5 gone over to that courthouse?</p> <p>6 A. Yes.</p> <p>7 Q. Did you get -- in your 8 pedestrian wreck case?</p> <p>9 A. Yes.</p> <p>10 Q. Okay. Have you been to the 11 courthouse for any other reason?</p> <p>12 A. No.</p> <p>13 Q. That's what I'm asking you. I 14 mean, you went over there. Did you give 15 testimony up on a witness stand sort of like 16 you are doing today except more formal?</p> <p>17 A. No.</p> <p>18 Q. At present you're not sure if 19 it's over or not?</p> <p>20 A. I don't -- I don't really worry 21 about it.</p> <p>22 Q. I understand.</p> <p>23 MR. HARP: Just answer his</p>	Page 30	Page 32
<p>1 question. His question was whether or not 2 it's over.</p> <p>3 Q. Are you aware of whether it's 4 over or not?</p> <p>5 A. I think it is.</p> <p>6 Q. Are you aware of what the 7 outcome of the lawsuit was?</p> <p>8 A. Yes.</p> <p>9 Q. What was the outcome?</p> <p>10 MR. HARP: Wait. Be careful 11 here.</p> <p>12 MR. HOWARD: Greg, I'm really 13 not trying to be tricky. I just want to know. 14 I will ask momma.</p> <p>15 THE WITNESS: Yeah, I would 16 be --</p> <p>17 MR. HARP: Yeah, or look it up 18 on Alacourt.</p> <p>19 THE WITNESS: Because I just 20 don't know. She would know more about it than 21 I would.</p> <p>22 Q. (By Mr. Howard) I understand. 23 In any event, from your perspective, it</p> <p>1 appears to be over; is that safe enough?</p> <p>2 A. (Witness nods head 3 affirmatively.)</p> <p>4 Q. Is that a yes?</p> <p>5 A. Yes.</p> <p>6 Q. Okay.</p> <p>7 MR. HARP: Can we go off the 8 record for a second?</p> <p>9 (Whereupon, a discussion was 10 held off the record.)</p> <p>11 Q. (By Mr. Howard) You said 12 generally about a year after your pedestrian 13 accident you had your first seizure, correct?</p> <p>14 A. Yes.</p> <p>15 Q. Do you remember the 16 circumstances? Were you at home, where were 17 you and so forth?</p> <p>18 A. I don't remember.</p> <p>19 Q. Did you wind up going to see a 20 medical person about your seizures?</p> <p>21 A. Yes.</p> <p>22 Q. Who was that?</p> <p>23 A. Dr. Russell?</p>		

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1 Q. Here in Gadsden? 2 A. No. He's in Birmingham. 3 Q. Do you remember whether you went 4 after the first one, or did it take a couple 5 for y'all to realize I need to go get some -- 6 you know, get somebody to look at this?	7 you said to yourself, you know, I don't want 8 to take this anymore or whatever?
7 A. Yes.	9 MR. HARP: Object to the form.
8 Q. The second -- 9 MR. HARP: Yes to which one?	10 Q. Before you stopped taking it?
10 Q. A couple of them happened and 11 then you went to the doctor?	12 MR. HARP: Object to the form.
12 A. Yeah. I don't know exactly 13 after which one it was. When it started 14 getting really serious.	13 A. A couple of months.
15 Q. Right. Have you continued to 16 see Dr. Russell about your seizures since 17 then?	14 Q. Okay. After that -- after that 15 period of time, at the end of which you 16 stopped taking that medicine, did you go back 17 to Dr. Russell?
18 A. No.	18 A. Yes.
19 Q. Did he prescribe medicine?	19 Q. Did Dr. Russell ever explain to 20 you what had happened to cause your seizures?
20 A. Yes.	21 A. He had kind of but not really. 22 We talked about it.
21 Q. And do you still take it?	23 Q. Do you remember whether he said 24 it had something to do with your getting hit 25 by a car?
22 A. No.	26 A. Yes.
23 Q. What did he prescribe, if you	27 Q. Did he give you any different 28 medicine after you stopped taking the Topamax?
Page 34	Page 36
1 recall?	1 A. No, sir.
2 A. I want to say Topamax.	2 Q. Did he give you any further 3 instructions that you recall about how to deal 4 with your seizures?
3 Q. Topamax?	5 MR. HARP: Object to the form.
4 A. Topamax.	6 A. No.
5 Q. And any others, even if you 6 don't remember the names, or was there just 7 one pill or --	7 Q. Okay. We have sort of placed 8 the beginning of your seizures at, give or 9 take a month or two, a year after your 10 accident, correct?
8 MR. HARP: Object to the form.	11 A. Yes.
9 Q. -- or one something?	12 Q. That would take us into the late 13 part of 2013. So I guess I'm moving up toward 14 2015.
10 A. I don't know.	15 Were you -- at the time of the 16 incident that this lawsuit is about, were you 17 still going to see Dr. Russell?
11 Q. That's fine. Did that seem to 12 help?	18 A. Yes.
13 A. No. I didn't like it.	19 Q. Okay. Did you see him after 20 this incident?
14 Q. How come?	21 A. Yes.
15 A. It made me feel like a zombie. 16 It mellowed me out.	22 Q. Did Dr. Russell say anything to 23 you about the seizures on the night of this
17 Q. Was that medicine something you 18 were to take every day, or was it one where if 19 you started feeling funny you took it then?	
20 MR. HARP: Object to the form.	
21 A. I'm not really sure.	
22 Q. About how long, if you remember, 23 did you continue to take the Topamax before	

Page 37	Page 39
1 incident? 2 MR. HARP: Object to the form. 3 Do you understand the question? 4 THE WITNESS: Uh-uh (indicating 5 no). 6 Q. In other words, you said you 7 went back to see him after this accident, 8 correct? 9 A. Yes. 10 Q. Did you go back to see him after 11 this incident? 12 A. Yes. 13 Q. Was that a regularly-scheduled 14 visit, or was it brought on by this incident? 15 MR. HARP: Object to the form. 16 A. It was a three-month -- like 17 every three months. He's my neurologist. 18 Q. Sure. And generally you would 19 go see him every three months? 20 A. Yes. I mean -- 21 Q. Give or take? 22 A. Yeah. 23 Q. And you were still continuing to	1 Q. What did they say? 2 A. Well, I was originally 3 prescribed with grand mal seizures. We were 4 just confused because they are two different 5 seizures. There were two different things 6 going on that night. He was saying there's 7 another type called pseudo seizures which are 8 brought on by stress. 9 Q. Right. 10 A. And if I was already having the 11 grand mal seizure, that's what the other 12 ones -- that's what I was confused on because 13 I knew I wasn't just having that back to back 14 because the grand mal seizures and the pseudo 15 seizures are two different things. 16 Q. Okay. 17 A. He was just explaining to me 18 that it was two different things. 19 Q. So what I'm hearing is he was 20 offering that as an explanation for at least 21 some of what had happened to you that night 22 with the seizures? 23 A. It's just I was in and out. I
Page 38	Page 40
1 go see him about every three months at the 2 time of this incident? 3 A. Yes. 4 Q. Okay. And you definitely saw 5 him once after this incident? 6 MR. HARP: Object to the form. 7 Q. Correct? 8 A. He actually had moved out of his 9 office, and his other partner -- it was both 10 of their offices. I now see him. 11 Q. Who was that? 12 A. Strawn. 13 Q. Strawn? 14 A. I'm not sure if it's Strawn or 15 Strong. 16 Q. Okay. Did you describe to 17 either one of these doctors what had happened 18 to you on the night at the concert? 19 A. Yes. 20 Q. Did they give you any 21 explanations or comments about the seizure 22 that happened on the night of this incident? 23 A. Yes.	1 was asking why was it -- why I was -- why all 2 of that was going on. He was like, well -- he 3 was explaining to me why I had -- just like 4 the medical way of how, saying things. 5 Q. Okay. Working back from the 6 time -- from the night of the incident, do you 7 remember when before -- the last time before 8 this incident happened that you had had a 9 seizure? 10 A. Do I remember when? 11 Q. Yeah. 12 A. Yes. 13 Q. When was that? 14 A. A month before this incident. 15 Q. Were you at school? 16 A. No. 17 Q. Do you remember if it was during 18 the Christmas holidays? 19 A. Christmas? 20 Q. Yeah. A month before this 21 incident would have put it in December? 22 A. Maybe fall, like late November. 23 Q. Okay. Sometimes people remember

Page 41	Page 43
<p>1 things associated with other things.</p> <p>2 A. Yeah.</p> <p>3 Q. Like it was Thanksgiving and I</p> <p>4 had a seizure.</p> <p>5 A. Right.</p> <p>6 Q. But in any event, you do recall</p> <p>7 having one previous?</p> <p>8 A. Yes.</p> <p>9 Q. Before the night of this</p> <p>10 incident in January 2015, had you ever had</p> <p>11 what you were later -- what was later</p> <p>12 suggested to you was a pseudo --</p> <p>13 A. No.</p> <p>14 Q. Rather than grand -- you had</p> <p>15 just had the grand mals?</p> <p>16 A. Yes.</p> <p>17 Q. To your knowledge anyway?</p> <p>18 A. (Witness nods head</p> <p>19 affirmatively.)</p> <p>20 Q. Correct?</p> <p>21 A. Yes.</p> <p>22 Q. Up to that point, before January</p> <p>23 2015, had you learned anything about</p>	<p>1 that.</p> <p>2 Q. Any other, to your knowledge,</p> <p>3 physical either activity or exertion by you</p> <p>4 that you have ever noticed whether you thought</p> <p>5 that was connected to your seizures or not?</p> <p>6 MR. HARP: Object to the form.</p> <p>7 A. I'm not sure of the question.</p> <p>8 Q. Okay, I don't know why --</p> <p>9 I have no idea of this.</p> <p>10 Let's just say if you went out</p> <p>11 and ran around a lot, playing soccer or</p> <p>12 something --</p> <p>13 A. I know what you're saying.</p> <p>14 Q. Had you ever found that to be a</p> <p>15 trigger?</p> <p>16 A. No.</p> <p>17 Q. So I guess what I'm hearing is</p> <p>18 for you the triggers had to do with you either</p> <p>19 being calm or not staying calm?</p> <p>20 MR. HARP: Object to the form.</p> <p>21 I don't think that was the --</p> <p>22 Q. That's fine, You tell me what</p> <p>23 it is.</p>
Page 42	Page 44
<p>1 situations or -- that might bring on a grand</p> <p>2 mal?</p> <p>3 A. Like my triggers?</p> <p>4 Q. Yeah.</p> <p>5 A. Yeah. I learned throughout it,</p> <p>6 yeah.</p> <p>7 Q. I mean, I'm sure you learned</p> <p>8 throughout it, just like you do anything?</p> <p>9 A. Yeah.</p> <p>10 Q. What did you learn over a period</p> <p>11 of time might be triggers for you?</p> <p>12 A. It's a lot about self control</p> <p>13 and keeping myself calm and just certain</p> <p>14 things like will help me, like music.</p> <p>15 Q. Right.</p> <p>16 A. Stuff like that. So just -- I</p> <p>17 -- the stuff that I needed to stay away from,</p> <p>18 it just kind of just highlighted it so.</p> <p>19 Q. So in other words, what I'm</p> <p>20 hearing from you is: There wasn't any</p> <p>21 particular thing like if it's really hot you</p> <p>22 might have a grand mal versus not?</p> <p>23 A. No, I have never had one like</p>	<p>1 MR. HOWARD: She can answer the</p> <p>2 question. She said a minute ago -- she said I</p> <p>3 have to remain calm.</p> <p>4 MR. HARP: She referred to that</p> <p>5 as a trigger. You said I guess what I'm</p> <p>6 hearing from you is that the triggers are</p> <p>7 being calm.</p> <p>8 MR. HOWARD: Your triggers are</p> <p>9 not being calm.</p> <p>10 MR. HARP: Well, you said being</p> <p>11 calm. That's why I object. So let's ask that</p> <p>12 question again.</p> <p>13 Q. (By Mr. Howard) Other than</p> <p>14 whether you're calm or not, do you know any</p> <p>15 other --</p> <p>16 MR. HARP: Wait.</p> <p>17 Q. Other than whether you are being</p> <p>18 -- you tell me what the word is that is not</p> <p>19 calm. Excited, upset?</p> <p>20 MR. HARP: Object to the form.</p> <p>21 Q. You can answer.</p> <p>22 MR. HARP: If you understand.</p> <p>23 A. Yeah, I just don't want to</p>

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<p>1 answer it and it be --</p> <p>2 Q. What things did you consider to</p> <p>3 be a trigger?</p> <p>4 A. Stress is like a word for it.</p> <p>5 But like I said, there's levels to it, like</p> <p>6 peer pressure, if I'm like -- I don't know --</p> <p>7 it's very -- it's very --</p> <p>8 Q. Stress meaning not physical</p> <p>9 stress like exerting your body?</p> <p>10 A. No, no, never before the</p> <p>11 incident.</p> <p>12 Q. Had you ever experienced</p> <p>13 stresses within your family that you believe</p> <p>14 triggered a seizure?</p> <p>15 A. No.</p> <p>16 Q. Like arguing with your mother?</p> <p>17 MR. HARP: Object to the form.</p> <p>18 A. Yeah.</p> <p>19 Q. Or sister?</p> <p>20 MR. HARP: Object to the form.</p> <p>21 A. Yeah. That's life.</p> <p>22 Q. Can you give me some times --</p> <p>23 some occasions when you were later able to</p>	<p>1 level of it. That's all.</p> <p>2 Q. The reason I was following you</p> <p>3 up is because I just asked about specific</p> <p>4 things that you believed triggered a grand mal</p> <p>5 seizure, correct?</p> <p>6 A. (Witness nods head</p> <p>7 affirmatively.)</p> <p>8 Q. Are we on the same page?</p> <p>9 A. Yes.</p> <p>10 Q. And what I'm hearing from you --</p> <p>11 and you tell me if I'm not hearing it right --</p> <p>12 is that there was one occasion when you had a</p> <p>13 grand mal seizure and you believe that it was</p> <p>14 brought on from interactions with your sister?</p> <p>15 MR. HARP: Object to the form.</p> <p>16 A. There was no interaction, but I</p> <p>17 -- the grand mal seizures, they are not</p> <p>18 just -- it's a chemical imbalance in the</p> <p>19 brain.</p> <p>20 Q. Sure.</p> <p>21 A. So when stuff like that is going</p> <p>22 on, it's like all at once. I don't know --</p> <p>23 it's just like I have a -- I don't know -- I</p>
<p>24 look back and see what it was specifically</p> <p>25 that caused you a seizure?</p> <p>26 MR. HARP: Object to the form.</p> <p>27 A. One -- oh, my god -- I think is</p> <p>28 when my sister got pregnant and me and her --</p> <p>29 we was just going through a lot, and I felt --</p> <p>30 it was just -- it was just a lot. It was just</p> <p>31 a lot I was just going through.</p> <p>32 Q. And one happened during this</p> <p>33 period?</p> <p>34 A. Yes.</p> <p>35 Q. And I know you are not a</p> <p>36 physician or anything, but looking back on it</p> <p>37 you believed there was a connection?</p> <p>38 MR. HARP: Object to the form.</p> <p>39 A. Connection between what?</p> <p>40 Q. Between your seizure and the</p> <p>41 ongoing problem with your sister.</p> <p>42 MR. HARP: Object to the form.</p> <p>43 A. It wasn't a problem. It was</p> <p>44 just -- kind of just like -- I don't know. I</p> <p>45 guess it's just -- what's meant to be</p> <p>46 understood, you know. That's a different</p>	<p>24 have to take more time to think on stuff, you</p> <p>25 know. Like, stuff doesn't -- I mean, it's</p> <p>26 just -- plus I'm just -- I mean, it's just</p> <p>27 crazy.</p> <p>28 Q. I understand.</p> <p>29 A. It's a lot.</p> <p>30 Q. Again --</p> <p>31 A. But that was not brought on by</p> <p>32 the situation with that, but it was just</p> <p>33 that --</p> <p>34 MR. HARP: Let's just wait for a</p> <p>35 question, okay?</p> <p>36 Q. What did your sister -- as I</p> <p>37 recall, you said my sister became pregnant and</p> <p>38 there was a lot going on, I think is what you</p> <p>39 said. And so I guess what I'm -- and you have</p> <p>40 seemed to indicate that those two events went</p> <p>41 together, your grand mal seizure and your</p> <p>42 sister -- the period of time you were having</p> <p>43 difficulty with your sister, which was around</p> <p>44 when she was pregnant.</p> <p>45 MR. HARP: Wait. That's not a</p> <p>46 question. Let's wait for a question. That's</p>

<p>1 a statement. 2 Q. Is that correct? 3 A. What? The things going on with 4 my sister, I was not stressed out about that. 5 That's my sister. She's like my partner, so 6 whatever she feels I feel. 7 Q. Then what were you stressed out 8 about? 9 A. You know what I'm saying? It 10 was just a lot of personal stuff, but it's -- 11 it just had to do with a lot of -- I'm not 12 real sure how to explain it. But, uh-huh 13 (indicating yes). 14 Q. Are there any other specific 15 occasions when something particular was going 16 on with you and there was a grand mal seizure 17 that followed that such that you have -- that 18 you sort of connect them in your mind? 19 MR. HARP: Object to the form. 20 Q. You can answer. 21 A. I have no answer. 22 Q. Is your answer, then, you don't 23 know or you don't recall?</p>	Page 49	Page 51
<p>1 A. I don't recall. 2 Q. That sister that was pregnant 3 was obviously [REDACTED]? 4 A. Yes. 5 Q. Okay. Does [REDACTED] have any 6 children? 7 A. Two. 8 Q. Do they live with her? 9 A. Yes. 10 Q. Does [REDACTED] have any children? 11 A. Two. 12 Q. Do they live with him? 13 A. Yes. 14 Q. So those two and Nick and four 15 kids live with your sister? 16 A. Yeah. They have a big house in 17 Southside. 18 Q. From what you recollect, in your 19 experience with your grand mal seizures, what 20 do you experience? 21 A. I'm actually not conscious. I 22 black out. I feel like I'm suffocating. And 23 then I just -- lights out.</p>	Page 50	Page 52

	Page 53	Page 55
1	Q. During your seizure?	1 out of a really deep dream sleep?
2	A. No.	2 A. Yes.
3	Q. In other words, it's not like	3 Q. That's kind of what --
4	sleepwalking?	4 A. Yeah.
5	A. No, no.	5 Q. And you sort of don't know
6	Q. You said a minute ago I may be	6 whether I'm really awake or not?
7	sitting up -- is that what you said?	7 A. Yeah. That's what I'm saying.
8	A. Well, I'm surrounded by people,	8 It's like a game.
9	like -- I'm just lucky to be able to say that.	9 Q. Like a video game; is that what
10	They usually sit me up, and I'm like still	10 you mean?
11	laying on them with spit up everywhere.	11 A. Yeah.
12	Q. But that's because these other	12 Q. When you say game, I'm assuming
13	people helped you, right?	13 you mean video game?
14	A. Yes.	14 A. Yeah, right.
15	Q. As far as you know, if these	15 Q. From your experiences, is there
16	other people weren't around, you would just	16 a customary amount of time that you're
17	wake up wherever you last were on the floor?	17 unconscious or however you want to say it,
18	MR. HARP: Object to the form.	18 you're out?
19	A. I mean, I guess.	19 A. Are you asking me to guess like
20	Q. That's what I'm asking. To your	20 how long?
21	knowledge --	21 Q. Yeah. Have you come to figure
22	MR. HARP: I don't want you to	22 out over time, you know, yes, it seems like
23	guess. If you know --	23 I'm out for --
	Page 54	Page 56
1	A. Then, yes, obviously.	1 A. Like the routine of it?
2	Q. I know it's obvious. I just	2 Q. Yeah, yeah.
3	like to ask.	3 A. No. They are all actually very
4	MR. HARP: Object to the form.	4 different.
5	Q. When you wake up, for lack of a	5 Q. Okay. Do you -- if you know, do
6	better word, from these things, do you know	6 you know how long the longest time period has
7	where you are?	7 been where you were out?
8	A. No.	8 A. In a catatonic state, two hours.
9	Q. I mean, I guess until you look	9 Q. Have you ever had one of these
10	around and realize, okay, I'm at home or	10 when nobody was around?
11	something or --	11 A. No. My last one, actually. I
12	MR. HARP: Object to the form.	12 got found but --
13	Q. Or you tell me.	13 Q. But you didn't know somebody was
14	A. It's kind of like I'm half	14 around?
15	asleep. It's kind of like I'm in a game.	15 A. Yeah, yeah. I was walking.
16	Q. Uh-huh (indicating yes).	16 Next thing, I'm waking up.
17	A. I can't force myself to start	17 Q. TDH, do you even have time
18	noticing everything. I've just got to sit	18 before one of these things hits, typically, to
19	down. It just takes about ten minutes or	19 process the thought that nobody is around?
20	so -- probably not ten minutes, but it takes	20 MR. HARP: Object to the form.
21	me a good minute to notice and start being	21 A. It happens -- the way it
22	aware of my whereabouts and stuff like that.	22 happens, I barely -- I barely even -- the
23	Q. Is it similar at all to coming	23 thought goes that I'm having -- like it's

<p>1 about to happen.</p> <p>2 Q. That's about all the time you've</p> <p>3 got?</p> <p>4 A. Yeah.</p> <p>5 Q. Okay. Other than hit -- you</p> <p>6 said a minute ago that one time you hit your</p> <p>7 head on the mantle or on something? What did</p> <p>8 you say?</p> <p>9 A. I like fell on a dresser.</p> <p>10 Q. On a dresser?</p> <p>11 A. Yeah.</p> <p>12 Q. And you conked your head?</p> <p>13 A. I kind of just fell on it. I</p> <p>14 didn't get a bruise or bump or nothing. And I</p> <p>15 fell into it, and I did hit my head but it</p> <p>16 wasn't -- I didn't have no marks or nothing.</p> <p>17 Q. The fall itself didn't knock you</p> <p>18 out again?</p> <p>19 A. Like what do you mean?</p> <p>20 Q. Like you came out of your --</p> <p>21 MR. HARP: Wait for the</p> <p>22 question, okay?</p> <p>23 Q. How do you know that had</p>	Page 57	Page 59
<p>1 happened to you?</p> <p>2 A. It happened at my niece's.</p> <p>3 Q. Okay. They told you?</p> <p>4 A. Yeah.</p> <p>5 Q. But other than them telling you,</p> <p>6 you wouldn't have known?</p> <p>7 A. No.</p> <p>8 Q. Are there any other occasions</p> <p>9 when you've had something like that happen</p> <p>10 besides falling into the desk?</p> <p>11 A. (Witness shakes head</p> <p>12 negatively.)</p> <p>13 Q. Where they said, hey, TDH --</p> <p>14 A. No.</p> <p>15 Q. -- you did something to yourself</p> <p>16 during your blackout?</p> <p>17 A. They would just tell me what</p> <p>18 would go on but --</p> <p>19 Q. What have they told you goes on</p> <p>20 when you're blacked out?</p> <p>21 A. My body would stiff up, and I</p> <p>22 will growl and spit. I will bite my tongue.</p> <p>23 I have bit my lip. I will bang my head on the</p>	Page 58	Page 60
<p>1 ground making weird noises. That's pretty</p> <p>2 much it. Eyes rolling.</p> <p>3 Q. Have they told you whether</p> <p>4 you're in a particular body position, like</p> <p>5 usually on your back or stomach or side --</p> <p>6 A. My legs are cringed up -- my</p> <p>7 legs are stiff. It's not in the same position</p> <p>8 every time.</p> <p>9 Q. Could be on your back, could be</p> <p>10 on your side, on your belly as far as you know</p> <p>11 from these people telling you, correct?</p> <p>12 A. Yes.</p> <p>13 Q. As far as you know, from either</p> <p>14 your own experience or people telling you, do</p> <p>15 you have any -- does this result in any</p> <p>16 stomach problems? Do you vomit or --</p> <p>17 A. While I'm having it?</p> <p>18 Q. Yeah.</p> <p>19 A. Yeah, I spit up, yeah.</p> <p>20 Q. How about afterward, when you</p> <p>21 come out of it?</p> <p>22 A. I feel sick, but I don't throw</p> <p>23 up.</p> <p>1 Q. Kind of feel nauseous? Is that</p> <p>2 what you mean?</p> <p>3 A. Just my body is just exhausted</p> <p>4 period.</p> <p>5 Q. Do you ever have any</p> <p>6 recollection of your friends talking to you</p> <p>7 while you're blacked out?</p> <p>8 A. No.</p> <p>9 Q. Has your mom seen you blacked</p> <p>10 out?</p> <p>11 A. Yes.</p> <p>12 Q. Have your sisters?</p> <p>13 A. Yes.</p> <p>14 Q. And no one has ever told you</p> <p>15 that -- or has anyone ever told you that you</p> <p>16 seemed to carry on a conversation with them</p> <p>17 while you are blacked out?</p> <p>18 A. No.</p> <p>19 Q. I'm sort of liking it to</p> <p>20 sometimes I have been told that when I'm</p> <p>21 asleep somebody says something to me and I</p> <p>22 apparently have a conversation with them that</p> <p>23 I have no clue and I wind up saying something</p>		

Page 61	Page 63
<p>1 like the milk is in the cupboard or just 2 something totally off the wall.</p>	<p>1 A. Yes. Head to -- I have a huge 2 headache. It's just like I need to lay, rest.</p>
<p>3 A. Sure.</p>	<p>3 Q. Do you know whether that</p>
<p>4 Q. But you haven't been told that, 5 correct? You haven't been told that kind 6 of --</p>	<p>4 headache stems from physically hitting your 5 head, like you said you do sometimes, or if 6 it's just something that happens even if you</p>
<p>7 A. That's sleeping. That's 8 different.</p>	<p>7 have the cushiest pillow you would still have 8 the headache? Do you understand what I'm 9 asking?</p>
<p>9 Q. Just totally different?</p>	<p>10 MR. HARP: Object to the form.</p>
<p>10 A. Yes.</p>	<p>11 A. Yes.</p>
<p>11 MR. HARP: Give me a chance to 12 make my objection. I'm sorry I keep 13 interrupting. I'm having to make them so --</p>	<p>12 MR. HARP: Yes, you understand 13 what he's asking, or yes to his question?</p>
<p>14 THE WITNESS: Okay.</p>	<p>14 THE WITNESS: Yes, I understand</p>
<p>15 Q. To your knowledge do you get 16 particularly either cold or hot during one of 17 your seizures?</p>	<p>15 his question.</p>
<p>18 A. I sweat.</p>	<p>16 A. Yes.</p>
<p>19 Q. You sweat? I was going to say 20 you probably sweat.</p>	<p>17 Q. Okay. And the reason I'm asking 18 is: It's not real -- it doesn't take a rocket 19 scientist to figure out if you hit your head 20 back on the concrete or back on something hard 21 a whole lot, you're probably going to have a 22 headache?</p>
<p>21 A. It's like a cold sweat though.</p>	<p>23 A. Right.</p>
<p>22 Q. And then what does your body 23 feel like when you -- when the twilight is</p>	<p>Page 62</p>
<p>1 finally over and you realize where you are and 2 who you are and so forth? How does your body 3 feel?</p>	<p>1 Q. But what I'm hearing is even if</p>
<p>4 MR. HARP: Object to the form.</p>	<p>2 you don't --</p>
<p>5 A. It's different, every one of 6 them. But I'm exhausted. Like my body is 7 just done. Like it doesn't want to do 8 anything else. Like a marathon, I had just 9 worked out.</p>	<p>3 A. Yeah. It's more of like a</p>
<p>10 Q. Do you -- from your experience, 11 does it feel like that regardless of the time 12 period that you're out?</p>	<p>4 migraine.</p>
<p>13 A. Yes.</p>	<p>5 Q. That's exactly what I was going</p>
<p>14 Q. So what I'm hearing is if you're 15 out -- from your experience, if you were out 16 for an hour or if you were out 10 minutes, 17 your body feels about the same?</p>	<p>6 to ask you.</p>
<p>18 A. Yes.</p>	<p>7 A. It's very deep. I have</p>
<p>19 Q. When you say exhausted, I'm 20 taking that to mean like physical muscular 21 exhaustion.</p>	<p>8 people around so they don't let me bang my</p>
<p>22 MR. HARP: Object to the form.</p>	<p>9 head.</p>
<p>23 Q. Is that correct?</p>	<p>10 Q. Do you have any -- do you take</p>
	<p>11 anything for a migraine, for a post seizure</p>
	<p>12 migraine?</p>
	<p>13 A. No.</p>
	<p>14 Q. Do you take any other kind of</p>
	<p>15 medicine on a regular business?</p>
	<p>16 A. No.</p>
	<p>17 Q. For anything?</p>
	<p>18 A. No.</p>
	<p>19 Q. Do you otherwise have migraines</p>
	<p>20 except for post seizure migraines?</p>
	<p>21 A. Yes.</p>
	<p>22 Q. You do?</p>
	<p>23 A. Yeah.</p>

<p>1 Q. What brings them on, if you 2 know?</p> <p>3 MR. HARP: Object to the form.</p> <p>4 A. They are not really -- they just 5 come.</p> <p>6 Q. Do you wear glasses?</p> <p>7 A. Yes, I have not worn them in 8 years, though.</p> <p>9 Q. Are you wearing contacts now?</p> <p>10 A. Yes.</p> <p>11 Q. Do you typically wear contacts?</p> <p>12 A. Yes.</p> <p>13 Q. And I guess other than migraines 14 do you have any other -- well, do you have any 15 ongoing health conditions?</p> <p>16 MR. HARP: Object to the form.</p> <p>17 A. None that -- none described.</p> <p>18 Q. What I'm hearing is except for 19 seizures and post-seizure headaches and 20 occasional migraines -- is that a way to 21 describe the frequency?</p> <p>22 A. Yeah. It's kind of like an 23 everyday thing. I just tune them out, just --</p>	Page 65	Page 67
<p>1 Q. But aside from those, do you 2 have any other -- do you have a heart 3 condition, for example?</p> <p>4 A. No.</p> <p>5 Q. Or any other system-wide 6 conditions?</p> <p>7 A. I mean, I have been having very 8 bad chest pains, but I have not went and got 9 it checked out yet. I'm just trying to let 10 time pass.</p> <p>11 Q. What does that feel like?</p> <p>12 A. My chest?</p> <p>13 Q. Uh-huh (indicating yes).</p> <p>14 A. Pressure, burning.</p> <p>15 Q. How often?</p> <p>16 A. Usually when I -- when I'm going 17 to sleep at night and right when I wake up in 18 the morning, but that's most of the time. 19 That's the only time it really does it.</p> <p>20 MR. HOWARD: Would you like for 21 her to take a break? I don't care. I'm happy 22 to go.</p> <p>23 MR. HARP: Are you okay? It's</p>	Page 66	Page 68
<p>1 your show. Do you want to take a break?</p> <p>2 THE WITNESS: We can. I don't 3 care. We can go then.</p> <p>4 MR. HARP: Remember, it's not an 5 endurance test.</p> <p>6 Q. (By Mr. Howard) Since this 7 incident have you had any seizures?</p> <p>8 A. No.</p> <p>9 Q. Well, I guess I should say grand 10 mals, but you haven't had any grand mals?</p> <p>11 A. No.</p> <p>12 Q. Have you had any of the other 13 kind that the doctor described to you as 14 pseudo seizures?</p> <p>15 A. No, sir.</p> <p>16 Q. Before this incident on January 17 16, 2015, had you had any of these kind of 18 pseudo seizures?</p> <p>19 A. No.</p> <p>20 Q. Okay. Tell me what it was about 21 this -- what the doctor described to you as a 22 pseudo seizure. How did that feel?</p> <p>23 A. Like when it happened?</p> <p>1 Q. When it happened.</p> <p>2 A. It's worse than the grand mal. 3 I mean, to me.</p> <p>4 Q. From your point of view?</p> <p>5 A. Yes. Because it is just -- I 6 don't know, because like with my other ones 7 I'm out for a long period -- not a long 8 period, but I'm out -- I will come in and out. 9 Well, that night I was in and 10 out. It was very traumatic, like very, very 11 traumatic, terrifying. And, I mean, it's just 12 -- I have no other words for it besides that.</p> <p>13 Q. But it hasn't happened since?</p> <p>14 A. No. I have been under the 15 utmost care.</p> <p>16 Q. The doctor didn't prescribe you 17 anything for the -- what he calls the pseudo 18 seizures?</p> <p>19 A. No.</p> <p>20 Q. Are you able -- when you 21 recollect back to that night, are you able to 22 differentiate between when a grand mal was 23 going on and when a pseudo seizure was going</p>		

Page 69	Page 71
<p>1 on?</p> <p>2 A. No.</p> <p>3 Q. I'm going to come back to this</p> <p>4 in an orderly way in a minute, but while I'm</p> <p>5 right there on that point let me ask you this:</p> <p>6 On that night do you have -- what is your last</p> <p>7 recollection before you had your first</p> <p>8 seizure?</p> <p>9 A. The last thing I remember on my</p> <p>10 feet was the crowd dancing to the music.</p> <p>11 Q. And do you know whether you had</p> <p>12 that feeling of this is about to happen?</p> <p>13 A. It all happened so fast I wasn't</p> <p>14 -- yeah.</p> <p>15 Q. Do you know whether you fell to</p> <p>16 the floor?</p> <p>17 A. Yes, I fell to the floor.</p> <p>18 Q. Okay. Rather than sit yourself</p> <p>19 down on the floor I guess is what I'm asking?</p> <p>20 A. Yeah. I fell, yeah.</p> <p>21 Q. If you know, what was your --</p> <p>22 what is your next recollection after being on</p> <p>23 your feet in the crowd dancing?</p>	<p>1 want to call it.</p> <p>2 MR. HARP: There is no quote.</p> <p>3 She didn't say -- why don't you just ask her</p> <p>4 to tell you what happened, and then she can</p> <p>5 walk you through it.</p> <p>6 MR. HOWARD: Well, I'm trying</p> <p>7 to, but that doesn't seem to work with your</p> <p>8 objections.</p> <p>9 MR. HARP: Because you are</p> <p>10 trying to tell the story.</p> <p>11 MR. HOWARD: No. I'm asking her</p> <p>12 point by point.</p> <p>13 Q. What is your next recollection,</p> <p>14 after going into a seizure, when you were</p> <p>15 dancing in the crowd?</p> <p>16 A. I woke up on my back in the</p> <p>17 lobby of Center Stage.</p> <p>18 Q. Okay. I may have misheard you.</p> <p>19 And what do you recall going on</p> <p>20 when you woke up on your back in Center Stage?</p> <p>21 A. I wasn't all the way to, but I</p> <p>22 remember my little sister being beside me. I</p> <p>23 was in her lap. She was holding me down. She</p>
Page 70	Page 72
<p>1 A. On my back in the crowd.</p> <p>2 Q. In the crowd?</p> <p>3 A. Yes.</p> <p>4 Q. When you found yourself on your</p> <p>5 back in the crowd, did you experience that</p> <p>6 same twilight bit of time when --</p> <p>7 A. Yeah, that split second, oh, no.</p> <p>8 Q. For a second not knowing where</p> <p>9 you are and then you figuring out where you</p> <p>10 are?</p> <p>11 A. No. That's generally when I</p> <p>12 wake up. When I go, it starts to happen, it's</p> <p>13 like my body shuts down.</p> <p>14 Q. And then your next recollection</p> <p>15 is coming to on your back in the crowd; is</p> <p>16 that right?</p> <p>17 MR. HARP: Object to the form.</p> <p>18 A. No.</p> <p>19 Q. Okay. I just got that totally</p> <p>20 wrong.</p> <p>21 A. Yeah.</p> <p>22 Q. What is your next recollection</p> <p>23 when you, quote, came out of -- however you</p>	<p>1 had my head in her lap playing with my hair.</p> <p>2 And the medic had asked her what was going on.</p> <p>3 She told him that I had seizures. He asked</p> <p>4 her how old I was and my name, and I went back</p> <p>5 out again. And, yeah, that was the next time.</p> <p>6 Q. Other than what you just said,</p> <p>7 at that point do you recall if there was any</p> <p>8 of you talking to anybody?</p> <p>9 A. No.</p> <p>10 Q. Okay. I know you heard these</p> <p>11 others, your sister and you heard a medic?</p> <p>12 MR. HARP: That mischaracterizes</p> <p>13 her testimony.</p> <p>14 MR. HOWARD: She said a medic</p> <p>15 spoke.</p> <p>16 A. I don't know if it was a medic</p> <p>17 or not. I'm not really sure who he was. I</p> <p>18 just knew it was somebody that -- I mean,</p> <p>19 obviously, it was somebody that could do</p> <p>20 something.</p> <p>21 Q. I mean, that's why I'm asking</p> <p>22 you the question.</p> <p>23 So your sister is caressing your</p>

<p>1 hair, I take it, correct?</p> <p>2 A. (Witness nods head affirmatively.)</p> <p>3 Q. Yes?</p> <p>4 A. Yes. She's letting me know it's okay.</p> <p>5 Q. Is she holding your head?</p> <p>6 A. (Witness nods head affirmatively.)</p> <p>7 Q. Yes?</p> <p>8 A. My head is in her lap, yes.</p> <p>9 Q. And you hear someone ask her about you?</p> <p>10 A. (Witness nods head affirmatively.)</p> <p>11 Q. Correct?</p> <p>12 A. Yes.</p> <p>13 Q. Do you have a recollection of seeing that person who asked her about you?</p> <p>14 A. I know it was an officer, but I'm not sure what his name was.</p> <p>15 Q. How did you know it was an officer?</p>	<p>Page 73</p> <p>1 Q. Did you hear anything they said after you came to?</p> <p>2 MR. HARP: Object to the form.</p> <p>3 By they --</p> <p>4 Q. The officers, the five officers.</p> <p>5 A. There was a lot of screaming.</p> <p>6 It was just a lot of chaos going on, and I was -- they were telling me to stay still, for me to stop moving. And I kept asking them: What is going on? Y'all let me go. I don't know what is going on but I cannot breathe.</p> <p>7 And they was telling me to shut up, to keep my mouth shut and to listen to them. And I think I went out again.</p> <p>8 And then I woke up because I heard my mom's voice. I knew she was close to me. So I guess it kind of made me wake up.</p> <p>9 And I heard my momma grunt, and then -- it's like I saw her little house shoes she was wearing. It was like -- the way I was sitting, it was like right in front of me. I just saw her little slippers, and it was like slow motion. And then I heard the laser, and</p>
<p>1 A. His uniform.</p> <p>2 Q. I assume at some point since this happened you have talked to your sister about this?</p> <p>3 A. Uh-huh (indicating yes).</p> <p>4 Q. Which sister was this?</p> <p>5 A. Danielle, the youngest one.</p> <p>6 Q. And then you said you went out again?</p> <p>7 A. (Witness nods head affirmatively.)</p> <p>8 Q. Correct?</p> <p>9 A. Yes.</p> <p>10 Q. What do you next remember after that?</p> <p>11 A. There was a lot of loud noise.</p> <p>12 When I woke up, I had -- I was on my back. I couldn't move at all because I was being pinned down. I had one -- I had one officer at my neck, and each -- another one -- I had one on this arm and one on this arm, one on this leg and one on this leg and one at my neck (indicating) holding my neck restrained.</p>	<p>Page 74</p> <p>1 I knew that they tased my mom. I just knew they did because I heard her scream. Then I tried to sit up. And that one cop grabbed me up by my neck and scooted me back. They put their knees in my stomach so I could bend, and they tased me. I was out.</p> <p>2 Q. When you -- do you remember what if anything you said to the five persons holding you?</p> <p>3 A. Do I remember what I said?</p> <p>4 MR. HARP: Object to the form.</p> <p>5 Q. Yeah.</p> <p>6 A. Besides me telling -- I begged them to tell me what was going on and for them to let me go, and I couldn't breathe and to at least let me sit up so I could catch a breath.</p> <p>7 None of them would tell me their names. I didn't even know what was going on. They wouldn't even tell me what was going on. I couldn't move. I was pinned down so tight.</p> <p>8 Q. Are you able to estimate the time period, the length of time between when you came to, being held by five persons, to</p>

Page 77	Page 79
<p>1 when you next went out, which you said was 2 after being tasered?</p> <p>3 A. No, I can't recall.</p> <p>4 Q. What I am hearing from you is: 5 From when you woke -- from when you woke up 6 with the five persons holding on to you, 7 through hearing a taser on your mom -- or what 8 you think is on your mom -- and it probably 9 was.</p> <p>10 A. It was.</p> <p>11 Q. It was. But you didn't see it.</p> <p>12 You just heard it, correct?</p> <p>13 A. I saw the light flash.</p> <p>14 Q. And you heard your mom scream?</p> <p>15 A. Yes.</p> <p>16 Q. And then after that you were 17 tased and you blacked out again?</p> <p>18 A. Yes.</p> <p>19 Q. Okay. Was that one 20 uninterrupted -- you were conscious and stayed 21 conscious through the period you just told me 22 about and then blacked out?</p> <p>23 A. When I -- then I woke up because</p>	<p>1 to be okay. That's how she does things. I 2 heard her getting closer. It was just like I 3 was getting calmer. It was like I was in a 4 dream. I didn't know what was real and what 5 wasn't. When I heard her grunt, it made me 6 wake up. It made me very alert. And I heard 7 the taser and I saw the light. I tried to sit 8 up. That was the only time I could get my 9 head off the ground. But that's when I did. 10 They swooped me up. They got me right in my 11 chest.</p> <p>12 Q. Were you trying to see what was 13 going on with your mom?</p> <p>14 A. Yes. That's why I tried to sit 15 up.</p> <p>16 Q. But at that time you were still 17 being held generally by five people or a bunch 18 of people or whatever? You tell me.</p> <p>19 A. It was five people, yes.</p> <p>20 Q. I'm not trying to be flippant 21 here, but I understand you -- it would be easy 22 to come to five by saying head, arm, arm, leg, 23 leg. But were you talking -- are you talking</p>
Page 78	Page 80
<p>1 I heard my mom's voice. That's what woke me 2 up. That's the first thing I remember 3 hearing.</p> <p>4 Q. Tell me -- wait a minute. 5 That's why I'm asking. When you woke up 6 hearing your mom's voice, was that -- that 7 would have been before she was tased, right?</p> <p>8 MR. HARP: Object to the form.</p> <p>9 A. I'm confused on what you are 10 trying to ask me.</p> <p>11 Q. Yeah. You did say something 12 about waking up to your mom's voice?</p> <p>13 A. Yes.</p> <p>14 Q. And that was before you got 15 tased?</p> <p>16 A. Yes.</p> <p>17 Q. Okay. And then after you woke 18 up hearing your mom's voice, is that when you 19 heard her be tased?</p> <p>20 A. I woke up to her calling my 21 name.</p> <p>22 Q. Right.</p> <p>23 A. Telling me everything is going</p>	<p>1 about five different individuals, or do you 2 know?</p> <p>3 MR. HARP: She never said five.</p> <p>4 MR. HOWARD: Well, that's what 5 I'm saying.</p> <p>6 MR. HARP: She didn't say five.</p> <p>7 MR. HOWARD: Well, she counted 8 five.</p> <p>9 MR. HARP: She counted where she 10 was being held. You translated it to five.</p> <p>11 MR. HOWARD: That's what I'm 12 asking about.</p> <p>13 Q. Do you know whether it was five 14 or not?</p> <p>15 A. I don't.</p> <p>16 Q. Fair enough. There were five 17 places on your body -- or five points on your 18 body where you being held?</p> <p>19 A. Being held by each person.</p> <p>20 Q. That's I'm asking you. If we 21 have got five points being held by each 22 person, I'm assuming you think five people?</p> <p>23 A. There was more than one</p>

<p>1 surrounding me.</p> <p>2 Q. Right.</p> <p>3 A. They were all hovering over me.</p> <p>4 But each arm -- each limb was pinned to the</p> <p>5 ground by somebody -- I know two people didn't</p> <p>6 have one of my arms. They were just laying on</p> <p>7 me, if you want to be technical about it.</p> <p>8 Q. Do you know whether one person</p> <p>9 may have had two of your arms?</p> <p>10 A. I mean, they were right beside</p> <p>11 me so I didn't see --</p> <p>12 Q. How about your legs?</p> <p>13 A. Huh?</p> <p>14 Q. How about your legs?</p> <p>15 A. Yeah. It was -- I think -- I</p> <p>16 feel like they took turns, but I'm not sure.</p> <p>17 I was in and out so.</p> <p>18 Q. Fair enough. And that's exactly</p> <p>19 why I was asking.</p> <p>20 A. The way it felt, me being pinned</p> <p>21 down, me couldn't move, yeah -- it was -- I</p> <p>22 was pinned.</p> <p>23 Q. Right. And I think you've just</p>	Page 81	Page 83
<p>1 explained to me how you arrived at your</p> <p>2 testimony that it was five people. Is that</p> <p>3 right?</p> <p>4 MR. HARP: Object to the form.</p> <p>5 A. No.</p> <p>6 Q. Okay. So you don't know whether</p> <p>7 it was six or four or five persons holding you</p> <p>8 down?</p> <p>9 A. I guess not.</p> <p>10 Q. Fine. That's what I'm asking</p> <p>11 for.</p> <p>12 How long after you got tased did</p> <p>13 it -- how long was it after you got tased that</p> <p>14 you went back into the blackout?</p> <p>15 A. After the second one, when he</p> <p>16 was coming down for the third, it was -- I</p> <p>17 blacked out.</p> <p>18 Q. Okay. Do you remember how long</p> <p>19 it was between the first and second tasings?</p> <p>20 A. Enough to pull back and go</p> <p>21 again, to my knowledge but --</p> <p>22 Q. Sure. When you say enough,</p> <p>23 obviously it took long enough for it to happen</p>	Page 82	Page 84
<p>1 because it happened?</p> <p>2 A. Right.</p> <p>3 Q. Right. I guess what I'm asking</p> <p>4 is: Do you recall anything going on between</p> <p>5 the two tasings?</p> <p>6 MR. HARP: Object to the form.</p> <p>7 A. It was kind of like one thing,</p> <p>8 but no.</p> <p>9 Q. Well, that's why I'm asking.</p> <p>10 That's what I want to get, your experience.</p> <p>11 A. Yeah. I have never been tased</p> <p>12 before so that felt like -- I mean, I couldn't</p> <p>13 tell you what happened was happening during</p> <p>14 it. I got tased twice, and I went to sleep.</p> <p>15 Q. Okay. Do you remember anyone --</p> <p>16 well, let me back up.</p> <p>17 Do you remember becoming aware</p> <p>18 or being aware that somebody had a taser?</p> <p>19 A. No.</p> <p>20 Q. That might end up being used on</p> <p>21 you?</p> <p>22 A. I didn't know where I was. I</p> <p>23 didn't know what was going on.</p>		

Page 85	Page 87
<p>1 Q. And you don't recall becoming 2 aware of the idea of a taser before you got 3 tasered?</p> <p>4 A. No.</p> <p>5 MR. HOWARD: Okay.</p> <p>6 MR. HARP: Can we take a break? 7 We have been going about an hour and five 8 minutes.</p> <p>9 MR. HOWARD: Sure. Not a 10 problem.</p> <p>11 (Whereupon, a brief recess was 12 taken.)</p> <p>13 Q. (By Mr. Howard) TDH, a minute 14 ago you said you saw -- I believe you said you 15 saw the light of a taser?</p> <p>16 A. The strobe light.</p> <p>17 Q. The strobe light?</p> <p>18 A. Does it look like a strobe like?</p> <p>19 It looked like a strobe light to me.</p> <p>20 Q. Was that when it was being -- on 21 your mom or on you?</p> <p>22 A. My mom.</p> <p>23 Q. Okay. Do you remember any such</p>	<p>1 referring to just the whole area, hearing the 2 whole area?</p> <p>3 MR. HARP: Object to the form.</p> <p>4 A. Everything, period, was chaotic.</p> <p>5 Q. Okay.</p> <p>6 A. Yeah, what you're saying around 7 me, yeah.</p> <p>8 Q. Yeah. I mean, were you aware 9 enough to know that -- besides being held down 10 by these persons that there were crowds around 11 or --</p> <p>12 A. Well, I couldn't really tell you 13 if there was a crowd passing by or passing 14 too.</p> <p>15 Q. Right.</p> <p>16 A. I knew there was people walking 17 past. I wasn't aware -- I didn't have an 18 understanding of what was going on.</p> <p>19 Q. Sure.</p> <p>20 A. When it was going -- that wasn't 21 really my main focus, I guess you could say. 22 But I was -- just the police officers alone 23 was just so much.</p>
Page 86	Page 88
<p>1 light when it was on you?</p> <p>2 A. I don't remember.</p> <p>3 Q. Sure.</p> <p>4 A. My eyes were closed.</p> <p>5 Q. Do you remember knowing you were 6 going to get tased before you got tased?</p> <p>7 MR. HARP: Object to the form.</p> <p>8 A. No.</p> <p>9 Q. Aside from hearing your mom 10 during this period of time we have been 11 talking about, before y'all were tased, do you 12 remember hearing any other voices besides the 13 people holding you down and your mom? Anybody 14 else?</p> <p>15 A. No. They were screaming so loud 16 they kind of voiced over --</p> <p>17 Q. I take it that it was -- it 18 sounded chaotic; is that fair?</p> <p>19 MR. HARP: Object to the form.</p> <p>20 A. If anything, that's like an 21 understatement, but something along those 22 lines, I guess.</p> <p>23 Q. When we say that, are you</p>	<p>1 Q. Sure.</p> <p>2 A. The screaming, everything that 3 was going on, it was just very -- it was just 4 too much.</p> <p>5 Q. I take it -- have you ever come 6 to out of a seizure and found yourself being 7 held down?</p> <p>8 A. No, never besides that time -- 9 besides that night.</p> <p>10 Q. Have you ever come out of a 11 seizure and felt someone holding your head?</p> <p>12 A. I have had people beside me but 13 not touching me, really.</p> <p>14 Q. And on these times when you 15 awoke to people -- we are agreeing that this 16 is not sleeping, but I'm using awoke and came 17 to together; fair enough?</p> <p>18 A. Sure, yes.</p> <p>19 Q. On these occasions when you 20 awoke with people around you, do you recall 21 anybody holding your head at the time you came 22 awake?</p> <p>23 MR. HARP: Object to the form.</p>

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<p>1 A. No, I mean, not holding, I 2 mean, making sure that I was safe, you know, 3 not that -- like I said, I bang my head. My 4 mom is the only person I have woke up to with 5 her even touching me, period.</p> <p>6 Q. And what was she doing on that 7 time or those times?</p>	<p>1 did.</p> <p>2 Q. During this first time period of 3 awakeness, when you were being held down, do 4 you remember experiencing any other pains or 5 problems with your body aside from being held 6 down?</p>
<p>8 A. I was like this (indicating). 9 She had my head like this (indicating), 10 holding my head, like not --</p>	<p>7 A. I know that I was just very sore 8 already, like my body -- I was so exhausted. 9 I felt like it was just because -- I guess 10 when I fell, I was so exhausted. My hair was 11 like in knots. My head was hurting all over.</p>
<p>11 Q. She had her hands like 12 open-palmed supporting the back of your head?</p>	<p>12 Q. Your hair was in knots?</p>
<p>13 A. Yeah.</p>	<p>13 A. Yeah.</p>
<p>14 Q. Is that right?</p>	<p>14 Q. What do you mean?</p>
<p>15 A. Yes.</p>	<p>15 A. Like it was just all tangled up.</p>
<p>16 Q. Have those folks who have seen 17 you have one of your seizures, do they 18 describe you as shaking -- convulsing is what 19 I have heard?</p>	<p>16 Q. Okay. Was your hair about the 17 length it is today?</p>
<p>20 A. Yes.</p>	<p>18 A. A little longer. I've just</p>
<p>21 Q. I think we said that earlier 22 but -- okay.</p>	<p>19 gotten my hair cut.</p>
<p>23 This is a bit of a side note,</p>	<p>20 Q. Okay. Were you about the same 21 physical proportions you are today?</p>
<p>22 A. I think I have gained a couple 23 pounds.</p>	<p>22 A. I think I have gained a couple 23 pounds.</p>
Page 90	Page 92
<p>1 but do you remember what you were wearing that 2 night in general?</p>	<p>1 Q. But that's it?</p>
<p>3 A. I think I was wearing a black 4 t-shirt, blue skinny jeans. And I'm not sure 5 of my shoes because I lost them.</p>	<p>2 A. Yeah.</p> <p>3 Q. I ask for the obvious reasons.</p> <p>4 Do you know whether you were 5 already experiencing those migraine like 6 symptoms that you get after a seizure?</p>
<p>6 Q. Would you have had a coat on?</p>	<p>7 A. I'm sorry. Repeat that question 8 one more time.</p>
<p>7 A. No.</p>	<p>9 Q. Yeah. During this first awake</p>
<p>8 Q. Even though it was in November?</p>	<p>10 period, do you remember whether you were 11 already having those migraine type pains or 12 not?</p>
<p>9 A. January?</p>	<p>13 A. No, I was not aware of it.</p>
<p>10 Q. I mean January. Even though it 11 was in January?</p>	<p>14 Q. Okay. Do you remember the 15 effect of the taser on you?</p>
<p>12 A. It wasn't that cold outside.</p>	<p>16 MR. HARP: Object to the form.</p>
<p>13 Q. You didn't have any sort of 14 medical ID bracelet or anything telling 15 someone you were a seizure person at the time, 16 did you?</p>	<p>17 A. Are you asking me what it felt 18 like?</p>
<p>17 A. I did have one, but I'm not sure 18 if they broke it off that night, because after 19 that night I don't know what happened to it. 20 I have not been able --</p>	<p>19 Q. Yeah. I'm asking first do you 20 remember; and if so, what did it?</p>
<p>21 Q. Do you know whether you had it 22 on that night?</p>	<p>21 A. When I look back, I remember, 22 but there wasn't much -- I didn't have much 23 time, but it was like a stuck feeling.</p>
<p>22 A. I'm not sure -- I don't think I</p>	<p>23</p>

<p>1 Q. That's why I'm asking you, TDH, 2 is -- because you said you went into a 3 blackout.</p> <p>4 A. Uh-huh (indicating yes).</p> <p>5 Q. And that's why I'm asking you if 6 you -- if there was a time between feeling 7 what I guess the taser feels like and going 8 back into a blackout?</p> <p>9 A. No. I was -- I was asleep after 10 it -- he tased me the second time.</p> <p>11 Q. And a minute ago -- you correct 12 me if I'm wrong -- you said something, from 13 which I formed the impression that one and 14 two -- tasings one and two were very close 15 together --</p> <p>16 A. One after the other.</p> <p>17 Q. Okay. As you look back on it, 18 do those one after the other -- do you know 19 when one stopped and the other started?</p> <p>20 MR. HARP: Object to the form.</p> <p>21 A. The second one was longer, it 22 felt like. But the second one followed the 23 first one, right after the first one.</p>	Page 93	Page 95
<p>1 Q. Okay. I guess that's what I'm 2 getting to. You didn't remember a period of 3 time particularly between the two?</p> <p>4 A. No.</p> <p>5 Q. I know you said you thought he 6 was coming in for tasing number three?</p> <p>7 MR. HARP: She didn't say 8 thought.</p> <p>9 Q. Well, did you say he was coming 10 in for tasing number three?</p> <p>11 A. He was.</p> <p>12 Q. How do you know that?</p> <p>13 A. He was coming back down with it.</p> <p>14 Q. So you saw him?</p> <p>15 A. Yeah. He was standing up. I 16 was on my back on the ground.</p> <p>17 Q. And he was actually on his feet?</p> <p>18 A. On his feet.</p> <p>19 Q. And had he been on his feet 20 during the two tasings?</p> <p>21 A. Talking about the guy who tased 22 me?</p> <p>23 Q. Yeah.</p>	Page 94	Page 96
<p>1 A. Yeah, he was standing there 2 tasing me.</p> <p>3 Q. And he was on his feet at that 4 time?</p> <p>5 A. Yeah.</p> <p>6 Q. Not on his knees.</p> <p>7 A. No.</p> <p>8 Q. And on time number three, he was 9 on the way down to tase you is what I'm 10 hearing you say you saw?</p> <p>11 A. Yes.</p> <p>12 Q. But before he got there you 13 blacked out?</p> <p>14 A. Yes. I couldn't take no more.</p> <p>15 Q. What do you next remember after 16 blacking out following the taser?</p> <p>17 A. I woke up on a gurney. I think 18 that's what that's called. I was just sitting 19 in there in the lobby. I don't know what -- 20 why it took so long for them to roll me out.</p> <p>21 Q. On a gurney in the lobby?</p> <p>22 A. Uh-huh (indicating yes), yes.</p> <p>23 Q. Is that yes?</p>		

Page 97	Page 99
<p>1 Q. He was right. Do you have -- so 2 what I'm hearing is after you went into that 3 second blackout, after the tasing, you don't 4 have any memory of the medics working on you, 5 over you or --</p> <p>6 A. Uh-uh (indicating no). No.</p> <p>7 Q. Fair enough. When you came to 8 on the gurney, did you have anything on your 9 face?</p> <p>10 A. My mouth was taped shut.</p> <p>11 Q. Taped shut. Do you remember 12 whether -- here is why I'm asking: I can 13 envision somebody strapping you to a gurney 14 with your arms by your sides. Is that right?</p> <p>15 A. It was in a nine-point 16 restraint.</p> <p>17 Q. How do you know that?</p> <p>18 A. When I got to the hospital I 19 counted the straps.</p> <p>20 Q. Have you ever heard that term 21 before, nine-point restraint?</p> <p>22 A. No. That's what the doctor 23 called it.</p>	<p>1 to -- I guess until they got you out to the 2 ambulance, anybody at the place --</p> <p>3 A. It's really very, very cloudy.</p> <p>4 Q. Do you have much recollection of 5 the transport to the hospital?</p> <p>6 A. I think I fell asleep.</p> <p>7 Q. I'm assuming, if anything, you 8 are in the back of some ambulance, and that's 9 -- is that a fair enough statement?</p> <p>10 MR. HARP: Object to the form.</p> <p>11 A. I know that they put me in an 12 ambulance.</p> <p>13 Q. Do you remember any 14 conversations or discussions with any of the 15 ambulance people?</p> <p>16 A. No. They would not talk to me, 17 I don't think.</p> <p>18 Q. Well, do you remember trying to 19 talk to them?</p> <p>20 A. I was belligerent, crying out. 21 Nobody was answering me at all. I got no 22 answers. I didn't even get my vitals taken.</p> <p>23 Q. How do you know that?</p>
Page 98	Page 100
<p>1 Q. The doctor at the hospital?</p> <p>2 A. Yes.</p> <p>3 Q. Did the doctor at the hospital 4 say anything else about your nine-point 5 restraint?</p> <p>6 A. No.</p> <p>7 Q. Just said that's what it was?</p> <p>8 A. (Witness nods head 9 affirmatively.)</p> <p>10 Q. Yes?</p> <p>11 A. Yes.</p> <p>12 Q. Is it fair to say that you 13 weren't able to get up off the gurney?</p> <p>14 A. When I got to the hospital?</p> <p>15 Q. No. Anytime before you got let 16 up?</p> <p>17 A. No.</p> <p>18 Q. I know I'm being facetious. 19 Do you remember speaking to 20 anyone while you were on the gurney?</p> <p>21 A. While being transported?</p> <p>22 Q. Yeah. Up until the time you 23 woke up and got yourself tied into the gurney</p>	<p>1 A. Because I had no IV in my arm. 2 I was asked no questions.</p> <p>3 Q. Do you know whether they had 4 already obtained your vitals?</p> <p>5 A. Say that one more time.</p> <p>6 Q. Yeah. Do you know whether they 7 had already obtained your vitals?</p> <p>8 A. What do you mean?</p> <p>9 Q. You said they had not obtained 10 your vitals?</p> <p>11 A. They didn't.</p> <p>12 Q. While you were in the ambulance?</p> <p>13 A. I mean, that's where they would 14 have did it, correct?</p> <p>15 Q. How do you know that?</p> <p>16 A. Because that's where they do it.</p> <p>17 Q. Do you know --</p> <p>18 A. I mean, I know cops don't do it.</p> <p>19 Q. Do you know whether the medic -- 20 did you ever see any medics --</p> <p>21 A. Not the hospital --</p> <p>22 Q. Not the hospital transport 23 people. Well, good point. Do you know the</p>

<p>1 difference?</p> <p>2 A. I don't really know the 3 difference.</p> <p>4 MR. HARP: Between --</p> <p>5 THE WITNESS: Paramedic -- like 6 I know -- I know the -- I just don't know the 7 proper name for them. Like, you know what I'm 8 saying?</p> <p>9 Q. Do you know that --</p> <p>10 A. I know the difference between a 11 cop and a medic. I don't know the difference 12 between a medic or a paramedic.</p> <p>13 Q. And there were definitely 14 medical people in the ambulance?</p> <p>15 A. Yes, they were wearing uniforms.</p> <p>16 Q. Right. What I have heard so 17 far -- insofar as medical people on the scene 18 rendering you assistance, you don't have any 19 memory of it?</p> <p>20 A. No, I don't remember seeing a 21 medic person until I got in the ambulance, 22 until I knew I was being put in the ambulance.</p> <p>23 Q. Sure. So the only uniforms you</p>	Page 101	Page 103
<p>1 recall seeing on this night before the 2 ambulance is cops?</p> <p>3 A. Yes. There were different 4 uniforms, but I knew they were police officer 5 uniforms.</p> <p>6 Q. Describe those differences. Why 7 do you say they were different?</p> <p>8 A. I mean, they did look the same, 9 but the guy who had tased me had a yellow 10 thing on his sleeve. I didn't see that on any 11 of the other ones.</p> <p>12 Q. And from the gurney to ambulance 13 you don't have any recollection of anybody 14 saying anything to you? And I'm not saying 15 they did or did not. I'm just saying do you 16 remember it?</p> <p>17 A. I wouldn't doubt if somebody 18 did. I couldn't tell you exactly what was 19 said or who would have said it.</p> <p>20 Q. Okay.</p> <p>21 A. There's only a couple of things 22 that my mind has grabbed and remembered.</p> <p>23 Q. Do you recall any words from or</p>	Page 102	Page 104
<p>1 words exchanged between you and any -- what T 2 would call civilian, not a cop, not a 3 uniform --</p> <p>4 A. Uh-uh (indicating no).</p> <p>5 Q. Is that a no?</p> <p>6 A. No. I'm sorry.</p> <p>7 Q. There is some video that would 8 suggest -- or at least does to me -- that 9 there was someone that spoke at you that you 10 knew. But you don't have any memory of that, 11 correct?</p> <p>12 MR. HARP: Object to the form, 13 If there is video, we'd like to see it, 14 because we haven't seen any video like that.</p> <p>15 MR. HOWARD: Well, I think it's 16 somebody named Jamal. It's on those videos.</p> <p>17 MR. HARP: Not on the videos we 18 have, because I have watched them all.</p> <p>19 MR. HOWARD: Well, let's remedy 20 that while we are here.</p> <p>21 MR. HARP: You brought it out in 22 a deposition so we'd like to see the video.</p> <p>23 MR. HOWARD: Well, sure, I will</p> <p>1 give you the video.</p> <p>2 Q. (By Mr. Howard) Do you recall 3 any words with anyone named [REDACTED]?</p> <p>4 A. No.</p> <p>5 Q. Is that a no?</p> <p>6 A. No.</p> <p>7 Q. Do you recall having a friend at 8 the time named [REDACTED]?</p> <p>9 A. No.</p> <p>10 MR. HOWARD: I don't even know.</p> <p>11 MR. HARP: Therein lies the 12 problem with this line of questions.</p> <p>13 Q. But in any event, you don't 14 remember any interaction with anybody that you 15 knew --</p> <p>16 A. I don't recall.</p> <p>17 Q. -- at that time? Fair enough.</p> <p>18 What do you remember about --</p> <p>19 MR. HARP: Can we get that 20 video?</p> <p>21 MR. HOWARD: Yeah. But let me 22 finish my questioning. I'm off the video.</p> <p>23 Q. What do you remember about the</p>	Page 104	

<p>1 hospital?</p> <p>2 A. They -- I don't know if it was</p> <p>3 the lobby of the hospital or not, I know I</p> <p>4 wasn't in a room yet. And they wheeled me in.</p> <p>5 And the cops were telling them -- I'm not real</p> <p>6 sure. I can't remember everything that was</p> <p>7 said. But they did say that I needed to be</p> <p>8 put in a room and that -- something about</p> <p>9 Mountain View. And I have heard of Mountain</p> <p>10 View before. And I spoke up, and I was like</p> <p>11 what are you talking about? The cop told me I</p> <p>12 needed to keep my mouth shut because I am</p> <p>13 about to be transported to Mountain View. And</p> <p>14 that's when I started crying. And then the</p> <p>15 cops left. And then I asked the doctor why</p> <p>16 would I be going to Mountain View, and he was</p> <p>17 like you are not. He was like I don't know</p> <p>18 what is going on, and they released me.</p> <p>19 Q. Okay. Have you come to know who</p> <p>20 that police officer was that spoke about</p> <p>21 Mountain View?</p> <p>22 A. No. I don't recognize any of</p> <p>23 them. I don't know them personally.</p>	Page 105	Page 107
<p>24 Q. Okay. Have you come to know who</p> <p>25 that police officer was that spoke about</p> <p>26 Mountain View?</p> <p>27 A. No. I don't recognize any of</p> <p>28 them. I don't know them personally.</p>	Page 106	Page 108

<p style="text-align: right;">Page 109</p> <p>1 Southside was saying, oh, she had a drug 2 reaction and she got tased by the police. 3 Everybody has their own story. 4 Q. I understand. 5 A. I just wasn't prepared for it. 6 I just couldn't do it. 7 Q. So I'm getting from that that 8 you actually did return to the school 9 premises? 10 A. Yes. 11 Q. For how long? 12 A. A day. 13 Q. A day? And do you remember how 14 long after this happened, assuming it was 15 January 16 -- 15 -- no -- 16? 16 A. I'm not sure what day I did go 17 back to Southside, but I know I did go back. 18 It wasn't long after. 19 Q. Was the concert on a Saturday 20 night, or do you remember? 21 A. Friday. 22 Q. Friday night? 23 A. I went to school that day.</p>	<p style="text-align: right;">Page 111</p> <p>1 of years. Some days I broke -- some days I 2 let it get to me, and I had my little -- you 3 know, but it's just about time. I'm trying to 4 get back to the old me. Trying to get back to 5 life. 6 Q. On Friday -- it's not Friday the 7 13th because I think we would have noted that. 8 Friday the 16th? 9 A. The 17th. 10 Q. Friday the 17th. On Friday the 11 17th, what was it that was causing you to want 12 to get back to the old you? 13 A. Repeat that question. 14 Q. Yeah. On Friday the 13th -- 15 MR. HARP: Wait. 16 Q. Friday the 17th. 17 MR. HARP: Okay. Just so we are 18 clear: In January 2015, the 16th was a 19 Friday. The 17th was a Saturday. The 18th 20 was a Sunday. 21 MR. HOWARD: Okay. 22 MR. HARP: And nothing happened 23 on Friday the 13th, because the 13th in</p>
<p style="text-align: right;">Page 110</p> <p>1 Q. You went to school that day. 2 That's right. 3 Were you having seizure issues 4 that day? 5 A. Yes. 6 Q. A full grand mal? 7 A. At soccer practice. 8 Q. I'm sorry. What did you say? 9 A. At soccer practice, yes. 10 Q. Oh, at soccer practice. Okay. 11 Was it one of your typical, not 12 much warning -- 13 A. Yes. We had just now gotten 14 dressed. We all just got dressed out to start 15 practice. She had told us to start warming 16 up. That's the last thing I remember her 17 saying is warm up. 18 Q. Do you recall anything having 19 gone on earlier that day that might have set 20 -- that might have been a trigger? 21 A. Well, I mean, I had been going 22 through a lot. I know everybody goes through 23 a lot. It's been tough on me the last couple</p>	<p style="text-align: right;">Page 112</p> <p>1 January 2015 was a Tuesday. So we are dealing 2 with January 16, 2015, into the morning of 3 January 17th, 2015. 4 MR. HOWARD: Okay. 5 MR. HARP: Are we clear? 6 MR. HOWARD: So the night of 7 Friday the 16th? 8 MR. HARP: Right. 9 Q. (By Mr. Howard) So on Friday the 10 16th, what had caused you on that day or what 11 was causing you up to that day to make you 12 want to work to getting back to the old me? 13 MR. HARP: Object to the form. 14 A. I'm still confused on what 15 you're asking. 16 Q. Sure. You said you were working 17 on getting back to the old me. Do you 18 remember that? 19 A. Yeah. 20 Q. And was that something that was 21 going on before the 16th, before that day? 22 A. I mean, not really, but yeah. 23 Q. Okay.</p>

<p style="text-align: right;">Page 113</p> <p>1 A. It was like this much of what's 2 going on with me (indicating). Do you know 3 what I'm saying?</p> <p>4 Q. What had gotten you away from 5 the old you?</p> <p>6 A. A tragic incident.</p> <p>7 Q. And before --</p> <p>8 A. Trauma.</p> <p>9 Q. Sure enough. And we are talking 10 about before the night, Friday night?</p> <p>11 A. Before and after.</p> <p>12 Q. Before what traumatic incidents 13 are you talking about?</p> <p>14 A. I was walking down the street, 15 and I got hit by a car from behind.</p> <p>16 Q. The pedestrian accident.</p> <p>17 A. Absolutely.</p> <p>18 A. Pretty scary.</p> <p>19 Q. Any others?</p> <p>20 A. No.</p> <p>21 Q. What sort of incidents, 22 traumatic type incidents happened after?</p> <p>23 A. After what?</p>	<p style="text-align: right;">Page 115</p> <p>1 A. I'm confused. What are you 2 asking?</p> <p>3 Q. Did your mother agree with your 4 not going back or disagree with it?</p> <p>5 A. Whatever was easier on me, she 6 was behind 100 percent.</p> <p>7 Q. Did you or your mom have any 8 discussions with the Southside High School 9 folks about any alternative ways for you to 10 get your schooling?</p> <p>11 A. We was going to do a homebound.</p> <p>12 Then something happened, and I wasn't 13 eligible. But I just -- I had changed my 14 mind. I was just going to go to college, and 15 so I went on job corps, and I ended up not 16 doing that, but -- so this is my next time, 17 go around with Gadsden State in the fall.</p> <p>18 Those are the only two times I have tried to 19 get back in school, though.</p> <p>20 Q. Sure.</p> <p>21 MR. HOWARD: I think I'm likely 22 to finish up at about a good lunch break time.</p> <p>23 MR. HARP: Okay.</p>
<p style="text-align: right;">Page 114</p> <p>1 Q. After 1-16-15.</p> <p>2 A. Nothing. Nothing that could 3 come close to that. Everything else was like 4 nothing to me.</p> <p>5 Q. Has Dr. Russell or anybody else, 6 his partner, offered you any explanations of 7 why you haven't had any seizures since January 8 16th of '15?</p> <p>9 A. No. But the only answers I 10 really need are from God (indicating).</p> <p>11 Q. Sure.</p> <p>12 A. He's the only one who had my 13 head that night. I had a chance to let him 14 make me or break me, and I let him make me.</p> <p>15 MR. HARP: Just answer his 16 questions. Has Dr. Russell offered you any 17 explanation?</p> <p>18 THE WITNESS: No.</p> <p>19 Q. (By Mr. Howard) As far as your 20 not returning to school after the one day you 21 went back, what was your mother's position on 22 that?</p> <p>23 MR. HARP: Object to the form.</p>	<p style="text-align: right;">Page 116</p> <p>1 MR. HOWARD: I don't have too 2 much more.</p> <p>3 MR. HARP: All right.</p> <p>4 Q. (By Mr. Howard) What other -- 5 not what other.</p> <p>6 What activities do you -- what 7 kinds of things are you either unable to do or 8 suffer with, either one, because of this 9 accident?</p> <p>10 MR. HARP: Object to the form.</p> <p>11 Can we break that question down, please?</p> <p>12 MR. HOWARD: Sure.</p> <p>13 Q. Are there any things that you 14 used to find yourself able to do but now find 15 yourself not able to do because of what 16 happened to you on January 16th?</p> <p>17 A. It's affected everything I do.</p> <p>18 Q. How?</p> <p>19 A. I mean, I never knew what it was 20 like to have -- to have a comfortable feeling 21 of walking in Walmart just nonchalant, not be 22 normal. I can't even walk into gas stations 23 and pay for gas.</p>

Page 117	Page 119
<p>1 Q. How come?</p> <p>2 A. Because of crowds, people</p> <p>3 staring at me, too many people at one time,</p> <p>4 too many noises going on at one time.</p> <p>5 I mean, that night I felt like I</p> <p>6 was worthless. They made me feel like I was a</p> <p>7 worthless animal. So I feel like I'm also a</p> <p>8 burden to people now just because -- I don't</p> <p>9 know. I just feel like I'm in the way.</p> <p>10 It's affected my work. I have</p> <p>11 always wanted to be -- since I was a kid I</p> <p>12 wanted to go into law enforcement. I wanted</p> <p>13 to be a detective and everything. Law and</p> <p>14 Order was my show. But it's made me like very</p> <p>15 scared, I'm not a scared person. I'm very</p> <p>16 strong. The other kids, I'm scared that -- I</p> <p>17 just don't want them going through something</p> <p>18 like that because, I mean -- I mean, it wasn't</p> <p>19 my mother's fault at all. It's not like she</p> <p>20 let it happen but, I mean, stuff happens. I</p> <p>21 don't know what I would do -- because nobody</p> <p>22 should be treated like that.</p> <p>23 I'm scared to have friends just</p>	<p>1 all.</p> <p>2 Q. Did you stop working at Jack's</p> <p>3 because you were starting the Sonic deal in</p> <p>4 Albertville?</p> <p>5 A. No. I was in the hospital that</p> <p>6 next morning, first Saturday morning, and I</p> <p>7 was supposed to work that morning. And my</p> <p>8 boss had called me, and she was asking me why</p> <p>9 I wasn't at work. I told her that I had been</p> <p>10 in the hospital and I was not going to be able</p> <p>11 to make it back to work. She just --</p> <p>12 Q. Oh, okay. I'm sorry. I did not</p> <p>13 establish, and I should.</p> <p>14 So at the time of the incident</p> <p>15 in January of 2015, you were --</p> <p>16 A. Working at Jack's.</p> <p>17 Q. Working at Jack's, Alabama City?</p> <p>18 A. Yes.</p> <p>19 Q. And they did not accept the</p> <p>20 explanation about your having gone to the</p> <p>21 hospital?</p> <p>22 A. She did. She understood. She</p> <p>23 told me that just to take my time, hoped that</p>
<p>Page 118</p> <p>1 because I don't want them -- I just don't want</p> <p>2 to bother anybody. Like, that's my main</p> <p>3 thing. I don't want anybody ever feeling like</p> <p>4 they have to do anything like that for me ever</p> <p>5 again.</p> <p>6 Q. What about it has affected your</p> <p>7 work?</p> <p>8 A. Big crowds, a lot of stuff going</p> <p>9 on at one time.</p> <p>10 Q. A lot --</p> <p>11 A. A lot of stuff going on at one</p> <p>12 time. People pointing, people staring, people</p> <p>13 asking me what my name is. People talking to</p> <p>14 me, period.</p> <p>15 I have -- I just have like</p> <p>16 anxiety. Like now I overexaggerate about the</p> <p>17 littlest thing. I feel like I can't work</p> <p>18 because I'm so focused on what's going when I</p> <p>19 just need to be focused on working, but I</p> <p>20 can't help but not focus on it, like looking</p> <p>21 over my shoulder every five minutes or -- I</p> <p>22 don't know. It's like I just can't trust</p> <p>23 nobody. I can't trust nobody or nothing at</p>	<p>Page 120</p> <p>1 whatever symptoms I had that I would get to</p> <p>2 feeling better, if I ever got a job again she</p> <p>3 would be my reference, like she just gave me a</p> <p>4 good word.</p> <p>5 Q. Right. So what I'm hearing from</p> <p>6 you is after the incident of January 16, 2015,</p> <p>7 you stopped working at Jack's, correct?</p> <p>8 A. Yes.</p> <p>9 Q. And then how long was it before</p> <p>10 you got the job at Sonic in Albertville?</p> <p>11 A. I started working at Sonic this</p> <p>12 past April.</p> <p>13 Q. Okay.</p> <p>14 A. No, March, March. It was the</p> <p>15 beginning of this year.</p> <p>16 Q. You had not worked before</p> <p>17 Jack's?</p> <p>18 A. No.</p> <p>19 Q. Correct?</p> <p>20 A. No.</p> <p>21 Q. After you -- after this</p> <p>22 incident, up until April, you did not work?</p> <p>23 A. No.</p>

1 Q. Okay. Is there a reason why?
 2 A. It's kind of like the same
 3 reason why I couldn't work at Sonic. It's
 4 just -- everywhere I went, I just did not feel
 5 comfortable. I couldn't bring myself to just
 6 be calm and work and go home. I couldn't just
 7 put myself -- I felt like it was a maturity
 8 thing at first but -- it kind of is, but it's
 9 not. But I just did not -- I couldn't trust
 10 myself, really, to just do it -- do all that
 11 at first -- like all that -- I just wasn't
 12 ready for it but tried to take one day at a
 13 time.

14 Q. Were you going to be a server at
 15 Sonic? Is what you signed up for?

16 A. A carhop. Well, no. I actually
 17 signed up to be a cook, but they didn't have
 18 -- she told me they didn't need nobody for
 19 cook, only nights. I was kind of working half
 20 and half. I didn't work that long as a
 21 carhop.

22 Q. Would you have had to stay as a
 23 carhop? Do they have to skate?

1 A. Yeah. I think they give you the
 2 option, though.

3 Q. Presently you are working at
 4 Lil' Prueett's?

5 A. Yes.

6 Q. Approximately 30 hours a week?

7 A. Yes.

8 Q. I asked you a minute ago about
 9 any traumatic -- I may have used the word
 10 injuries -- after the incident. But I should
 11 have said also any other traumatic events
 12 after the incident that you've had to deal
 13 with.

14 A. Traumatic event? Do you mean
 15 like panic attacks?

16 Q. Yeah.

17 A. But those are --

18 Q. Describe that.

19 A. My panic attacks -- I get panic
 20 attacks all the time, but they are getting
 21 better.

22 Q. Did you have those before?

23 A. Not really. Not like as

1 serious.

2 Q. What happens to you when that
 3 happens?
 4 A. I start shaking. I can't
 5 breathe. I get agitated, like I can't have
 6 nobody close to me. I will back up. I will
 7 start crying. I don't know why. It's like a
 8 -- I feel like it's a normal thing, almost
 9 like when girls -- when we get moody, but it's
 10 like ten times greater.

11 Q. You are in a room with several
 12 men. We understand what you're talking about.
 13 But you think it's maybe more than that?

14 A. Oh, yeah. I'm just comparing --
 15 I guess just like it's just erratic.

16 Q. Do you know whether those have
 17 any triggering things?

18 A. They do, but those are about --
 19 it's like a mind over matter thing I have
 20 learned, breathing and just doing my thing.

21 Q. Have you had any interactions
 22 with any police officers about anything since
 23 this incident?

1 A. Yes. Not about this but --

2 Q. Right.

3 A. I had -- me and one of my
 4 friends -- he had just got a brand new car.
 5 We was pulling out of Walmart, and he didn't
 6 go into the very left lane. And he got pulled
 7 over. And there was a traffic stop. And they
 8 pulled all of us out of the car. Nobody got
 9 in trouble. It was just -- he was very nice
 10 -- the police officer was very nice, the one
 11 that pulled us over, not the other six that
 12 were there. But he -- he was very nice. He
 13 just let us go about our way, though.

14 Q. Where was that?

15 A. Do you know where they are
 16 building like Panda Express?

17 Q. Yes.

18 A. It was right across the street,
 19 in that dealership parking lot.

20 Q. Across from Walmart and all that
 21 stuff?

22 A. Yeah. He was turning left, and
 23 he took that wide left, so they pulled him

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1 over right there.	1 case. Sometimes these don't come from you.
2 Q. But you weren't driving?	2 They come from -- anyway --
3 A. No.	3 MR. HARP: Objection.
4 Q. Just a passenger?	4 Q. Or these may have come from your
5 A. Yes.	5 mom, but whatever.
6 Q. But they made everybody get out	6 [REDACTED] Do you know who
7 of the car?	7 that is?
8 A. Yes.	8 A. Yes.
9 Q. And there were a whole bunch of	9 Q. Who is she?
10 cars -- excuse me -- a whole bunch of police	10 A. She was the lady's house I was
11 cars?	11 at when I got hit by the car.
12 A. There was only one at first.	12 Q. Okay. Do you know whether she
13 Q. Okay.	13 knows anything about this incident?
14 A. And then I saw like two or three	14 A. No.
15 more.	15 Q. Have you talked to her about
16 Q. When you say you saw them, did	16 this incident?
17 they come and appear to be interested in what	17 A. No, I don't talk to her.
18 was going on with y'all?	18 Q. The same question with [REDACTED]
19 A. Yeah. That's what I thought.	19 [REDACTED]?
20 Q. Sure. What time of the day was	20 A. That's one of the little girls.
21 that?	21 I don't associate with them.
22 A. It was dark. So it was like --	22 Q. Hold on a second.
23 I'd say 8:00 or 9:00 o'clock. I don't really	23 MR. HARP: I think you've got
Page 126	Page 128
1 stay out late.	1 the wrong case there.
2 Q. But in any event, they didn't	2 Q. Here's my list there. How old
3 search the car or make y'all spread eagle on	3 is [REDACTED] now?
4 the car or nothing like that?	4 A. 16.
5 A. No, no, no.	5 Q. [REDACTED] is 16. Okay. Well,
6 Q. And no other interactions with	6 she would be a minor. She'll be DH.
7 any other law enforcement?	7 What do you believe that she
8 A. (Witness shakes head	8 knows about what happened that night?
9 negatively.)	9 MR. HARP: Object to the form.
10 Q. Is that a no?	10 A. Besides what she saw?
11 A. Yes. I mean, yes.	11 Q. It was [REDACTED] that was --
12 MR. HARP: Yes, it's a no?	12 A. Standing there the whole time?
13 A. Yes, it's a no.	13 Q. Yeah. Has she told you what she
14 Q. And any other interactions with	14 saw?
15 paramedic type people?	15 A. No. We have not really sat down
16 A. No.	16 and discussed it.
17 Q. Uniformed type people?	17 Q. Was it [REDACTED] that was --
18 A. No.	18 A. Holding me.
19 Q. There are a couple of names I	19 Q. -- next to you when you first
20 want to ask you about, and then I think I will	20 came to?
21 be about -- I'm going to ask you about some	21 A. Yes.
22 names, and I want to know if you know them and	22 Q. And do you know whether she saw
23 what you think they might know about your	23 the -- like when the officers were holding you

	Page 129		Page 131
1	down?	1	Q. [REDACTED] Do you know who
2	A. Yes, she saw it.	2	that is?
3	Q. Do you know whether she saw your	3	A. No.
4	mother get tased?	4	Q. [REDACTED] Do you know [REDACTED]?
5	A. I don't -- I'm not sure.	5	A. I think so.
6	Q. Do you know whether she saw you	6	Q. If you -- if it's who you think
7	get tased?	7	it is, how do you know her?
8	A. Yes.	8	A. Say that one more time?
9	Q. [REDACTED]; do you know	9	Q. You said you think so.
10	her?	10	A. I know a family of Dills, I
11	A. Uh-huh (indicating yes).	11	know lots of people but I don't like know
12	MR. HARP: Is that a yes?	12	them.
13	A. Yes.	13	Q. Okay. But you hadn't spoken
14	Q. Who is that?	14	with her about this accident?
15	A. We went to the same school.	15	A. No.
16	Q. What is it that she knows about	16	Q. Incident?
17	the facts of this case?	17	A. No.
18	MR. HARP: Object to the form.	18	Q. And neither spoken to [REDACTED]
19	A. I have no idea. I don't talk to	19	[REDACTED] or [REDACTED] about this incident?
20	her about that.	20	A. No.
21	MR. HARP: Just answer his	21	Q. [REDACTED]? Do you know that
22	questions, okay?	22	name?
23	Q. Have you spoken to [REDACTED]	23	A. Uh-uh (indicating no), no.

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1	I [REDACTED] about the events concerning this	1	Q. This says [REDACTED]. Do you
2	incident?	2	know who that is?
3	A. No.	3	A. Yes.
4	Q. So I guess the best way to ask	4	Q. Who is that?
5	this: If she knows something about this	5	A. A friend of my mother's.
6	incident, you didn't know what it is, correct?	6	Q. Do you know what if anything he
7	A. Correct.	7	knows about this incident?
8	Q. Is that a student? Is she a --	8	MR. HARP: Object to the form.
9	A. She's a little bit younger than	9	A. Other than he seen, I don't
10	me.	10	know.
11	Q. Does she go to Southside?	11	Q. Do you know what it is he saw?
12	A. I'm not sure now. I don't know	12	MR. HARP: Object to the form.
13	where she goes now.	13	A. No.
14	Q. Do you know where she was going	14	Q. Do you know who [REDACTED] is?
15	at the time?	15	A. Yes.
16	A. I think she was in middle	16	Q. Who is she?
17	school.	17	A. My best friend.
18	Q. [REDACTED]? Do you know who	18	Q. Was she present that night?
19	that is?	19	A. Yes.
20	A. (Witness shakes head	20	Q. Has she told you what she saw?
21	negatively.)	21	A. Yes, we have discussed it.
22	Q. No?	22	Q. What did she tell you that she
23	A. No.	23	saw?

1 A. Me getting tased. She was in
 2 the crowd so I guess just her view of the
 3 crowd, pretty much just what she saw.
 4 Q. Is Vicki Abstin her mother?
 5 A. It's her grandmother.
 6 Q. Do you know who [REDACTED]
 7 is? No, no. Wrong question. You don't know
 8 [REDACTED] is, do you?
 9 A. No.
 10 Q. Do you know who [REDACTED]
 11 is?
 12 A. No. I have heard the name, I
 13 think.
 14 Q. Do you know who [REDACTED] is?
 15 A. No.
 16 Q. If it says care of [REDACTED]
 17 [REDACTED] ring, does that ring --
 18 A. [REDACTED]?
 19 Q. [REDACTED].
 20 A. Yeah, I know who you are talking
 21 about?
 22 Q. Who is that?
 23 A. It's one of my little sister's.

1 friend's mom. No, it's not --
 2 Q. Is the friend that she's the mom
 3 of [REDACTED]?
 4 A. [REDACTED]. Her name is [REDACTED].
 5 MR. HARP: Who's name is
 6 [REDACTED]?
 7 THE WITNESS: [REDACTED] mom.
 8 Q. Whose mom?
 9 A. [REDACTED]. That's my sister's
 10 friend.
 11 MR. HARP: Not like the store,
 12 [REDACTED].
 13 A. Her mom's name is Princess.
 14 Q. You say it like the store.
 15 A. I don't know.
 16 Q. TDH, you know her as [REDACTED]?
 17 A. Maybe her and her mom have the
 18 same name.
 19 Q. In any event, with either one of
 20 them, do you know what it is they saw?
 21 MR. HARP: Object to the form.
 22 A. No.
 23 Q. If anything?

1 Have you spoken with either one
 2 about this incident?
 3 A. No.
 4 Q. Do you know who [REDACTED]
 5 is?
 6 A. Yes.
 7 Q. Who is that?
 8 A. He's actually a -- I went to
 9 school with him.
 10 Q. Have you spoken to him about
 11 this incident?
 12 A. No.
 13 Q. Do you know if he was present?
 14 A. Yes, he was there.
 15 Q. How do you know?
 16 A. Because I remember seeing him
 17 that night.
 18 Q. [REDACTED]?
 19 A. That's my sister.
 20 Q. Oh, [REDACTED] is [REDACTED]?
 21 A. Yes.
 22 Q. Okay. Was she present that
 23 night?

1 A. No.
 2 Q. [REDACTED] is your brother,
 3 right?
 4 A. Yes.
 5 Q. Do you have any idea why Buford,
 6 Georgia, might be suggested as where he is?
 7 MR. HARP: Was, at the time that
 8 was written.
 9 Q. Yeah.
 10 A. No.
 11 Q. Was [REDACTED] present?
 12 A. No, not at the concert.
 13 Q. Was he present at all around you
 14 that evening?
 15 A. I think he kissed my cheek
 16 before I went to school.
 17 Q. Okay. In the morning?
 18 A. Yeah.
 19 Q. Do you know who was -- I know
 20 your mom came to the scene. We know she is in
 21 this lawsuit.
 22 Who did you see at home after
 23 all this was over?

<p style="text-align: right;">Page 137</p> <p>1 A. I didn't go home. 2 Q. Where did you do? 3 A. To [REDACTED]'s dad's house. 4 Q. Okay. Who did you see at [REDACTED]'s 5 dad's house? 6 A. Her dad. 7 Q. And [REDACTED]? 8 A. Yes... 9 Q. Obviously. Who is her dad? 10 A. Dan Fells. 11 Q. Dan Fells? 12 A. He just passed away. 13 Q. Was [REDACTED] present at all on 14 this evening? 15 A. No. 16 Q. Do you know anybody else, TDH, 17 that we haven't talked about who you believe 18 knows what happened that night? 19 MR. HARP: Object to the form. 20 A. There was a lot of people there 21 that night. 22 Q. Sure. Do you know the names of 23 anybody -- well, do you know anyone that you </p>	<p style="text-align: right;">Page 139</p> <p>1 changed me, you know what I'm saying, in a bad 2 way. 3 Q. Okay. 4 A. I mean, I wouldn't say a bad way 5 because, like I said earlier, I let it make 6 me, not break me. But it's changed my 7 perspective on a lot of things, and it's just 8 changed me as a person, my soul, my spirit. 9 It's sad just because I feel like I had to 10 grow up, literally, because I can't -- I don't 11 find joy in a lot of things anymore, for 12 myself either. I quit working out. I quit 13 everything I used to do. 14 Q. Where did you used to work out? 15 A. Absolute. 16 Q. What kind of working out? 17 A. Hard core, cardio. 18 Q. Zumba? 19 A. I'm an athlete, so I work out. 20 MR. HARP: Zumba as being -- 21 MR. HOWARD: I know some zumba 22 teachers down there. 23 A. I did do zumba a couple of </p>
<p style="text-align: right;">Page 138</p> <p>1 have spoken with about this? 2 A. No. 3 Q. Who saw it? 4 A. No. 5 Q. Other than who we have talked 6 about? 7 A. No, I don't speak on it. 8 Q. Well, sometimes people speak to 9 you? 10 A. Doesn't mean I speak back. 11 Q. I understand. Are there any 12 other mental or emotional effects stemming 13 from this incident that you haven't already 14 talked about? 15 MR. HARP: Object to the form of 16 the question. 17 A. I'm confused. 18 Q. Anything else that -- anything 19 else that this incident has caused you to 20 suffer, either emotionally or mentally, that 21 you haven't already talked about? 22 A. I mean, if I've not already 23 talked about it -- I mean, it's just -- it's </p>	<p style="text-align: right;">Page 140</p> <p>1 times, yeah. 2 Q. So you had been doing that 3 before this incident? 4 A. Doing what? 5 Q. Working out, hard core? 6 A. I'm an athlete. I've been -- 7 that's pretty much my whole life. I'm 8 involved in -- I don't know. I have always -- 9 I don't know. 10 Q. But you have found yourself not 11 doing that since this incident? 12 A. Yes. 13 MR. HOWARD: If I have anything 14 left, it's minor. This will be a great place. 15 I will pass the witness to these guys. 16 MR. HARP: Do you guys mind if 17 we take a lunch break before we start? 18 MR. STUBBS: No. 19 (Whereupon, a brief lunch recess 20 was taken.) 21 22 EXAMINATION 23 BY MR. STUBBS: </p>

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<p>1 Q. TDII, I'm David Stubbs, I 2 represent numerous officers who are named 3 defendants in this lawsuit.</p>	<p>1 can go there if you live in Rainbow City. I'm 2 not real sure how the district stuff works.</p>
<p>4 You have already been asked a 5 lot of questions. I won't be near as long, 6 but I do have some follow-ups, if you don't 7 mind.</p>	<p>3 Q. So in middle school, do you 4 recall what year -- what grade you would have 5 been in at the time you were suspended for 6 having a cell phone?</p>
<p>8 One thing I always ask is that 9 do you realize you are under oath here today 10 just like we were in court?</p>	<p>7 A. I'd say sixth or seventh. I'm 8 not real sure. It was a long time ago. If 9 anything, if I was suspended, I know it was 10 for a cell phone, but it was -- I would say 11 seventh grade, yeah.</p>
<p>12 Q. To tell the truth, If at any 13 time I ask you a question and you don't 14 understand the question, will you please tell 15 me so I can repeat? Is that fair?</p>	<p>12 Q. Was it your cell phone that you 13 had or someone else's?</p>
<p>16 A. Yes, sir.</p>	<p>14 A. I'm not sure.</p>
<p>17 Q. My questions are going to be 18 random because I'm covering some gaps and 19 things I had in my mind. So they probably 20 will not be consistently to the theme, but I 21 will try to go through it.</p>	<p>15 Q. I mean, do you recall having 16 your own cell phone in seventh grade?</p>
<p>22 A. Right.</p>	<p>17 A. No. It was probably like an 18 iPad or something.</p>
<p>23 Q. As to your academic background,</p>	<p>19 Q. Do you recall any other time 20 where you have been suspended from school?</p>
	<p>21 A. No.</p>
	<p>22 Q. Have you ever been expelled from 23 a school?</p>
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<p>1 have you ever been suspended from school for 2 anything?</p>	<p>1 A. No.</p>
<p>3 A. I think in middle school for a 4 cell phone.</p>	<p>2 Q. You testified earlier that after 3 this incident in January 2015 you went back to 4 school at Southside High for one day and then 5 didn't go back. Did I understand that 6 correctly?</p>
<p>5 Q. For having a cell phone?</p>	<p>7 A. Yes.</p>
<p>6 A. I think so.</p>	<p>8 Q. That particular year, was that 9 your junior year?</p>
<p>7 Q. Which school would that have 8 been?</p>	<p>10 A. Yes.</p>
<p>9 A. Rainbow Middle.</p>	<p>11 Q. How were your grades that year?</p>
<p>10 Q. All right. I'm not from here in 11 Etowah County. I know you mentioned -- I 12 think I'm correct. Was it Southside 13 Elementary?</p>	<p>12 How were you doing academically?</p>
<p>14 A. Uh-huh (indicating yes), yes.</p>	<p>13 A. I was passing.</p>
<p>15 Q. And Rainbow Middle?</p>	<p>14 Q. Were you in trouble in any of 15 your courses or possibly failing?</p>
<p>16 A. Yes.</p>	<p>15 A. Math, I think I was just having</p>
<p>17 Q. And then Southside High School?</p>	<p>16 trouble, but I had a tutor. I just -- she 17 wasn't like a tutor, but it was just a girl</p>
<p>18 A. Yes.</p>	<p>18 who had a different class to go help me. But 19 it was just because I didn't -- I don't think</p>
<p>19 Q. Is that common? Is that the 20 normal progression?</p>	<p>20 I failed that class.</p>
<p>21 A. Yeah. It's like Rainbow Middle 22 is kids who live in Southside and Rainbow</p>	<p>21 Q. Do you recall the name of your 22 tutor, your math tutor?</p>
<p>23 City. Southside Elementary, I don't think you</p>	

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<p>1 A. █ -- that's all I remember, 2 is a girl named █. She was on my soccer 3 team. She was really, really nice. 4 Q. She was a fellow student that 5 tutored math? 6 A. Yeah. She would help kids out, 7 pretty much there. 8 Q. Not wanting to bring up bad 9 memories. I don't know if you do remember 10 when your dad passed. You said you were 11 three. Do you have any memory of that? 12 A. No. 13 Q. Since the time that your dad 14 passed, has your mom ever remarried? 15 A. I don't think so. 16 Q. Has your mom ever had someone 17 living in the house with her when you lived 18 with her, another man? 19 A. No. 20 Q. So since the time you were three 21 years old, your mom has never had a boyfriend 22 live in the house with you and your mom and 23 sisters or brother?</p>	<p>1 A. █. 2 Q. Where does █ live now? 3 A. She still stays with her mom, 4 I'm pretty sure, in Albertville. 5 Q. Do you know where she works? 6 A. She don't have a job still. 7 Q. Is she still a friend of yours? 8 A. Not really. I really don't -- 9 we don't talk no more. 10 Q. As we sit here today, in June of 11 2016, who would you say is your best friend? 12 A. My mom. 13 Q. All right. Other than your mom? 14 MR. HARP: Object to the form. 15 Q. In addition to your mom being 16 your friend, do you have anyone else you 17 consider to be an extremely good friend? 18 A. My siblings. But other than 19 that, no. 20 Q. Other than your family members, 21 do you consider anyone else to be a good 22 friend? 23 A. No.</p>
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<p>1 A. No. 2 Q. All right. TDII, you mentioned 3 that at some point in time you were going to 4 move to Albertville with a roommate, with a 5 friend of yours; is that correct? 6 A. Yes. 7 Q. How old were you at that time? 8 A. That was just this year. So I 9 guess I was 18. It was like in January. 10 Q. Okay. And did you ever complete 11 the process of moving to Albertville? 12 A. No. I -- it was like I had the 13 money to do it but she didn't, like she wasn't 14 working at all so we couldn't -- we just 15 couldn't get it in time. 16 Q. What's the name of your friend? 17 A. █. 18 Q. The one that you were talking 19 about earlier, your best friend? 20 A. No. That's █. 21 Q. I'm sorry. █ -- 22 A. █. 23 Q. What's her last name?</p>	<p>1 Q. As we sit here in June of 2016? 2 A. No. 3 Q. Regarding your previous accident 4 when you were struck by a vehicle -- I think 5 that was 2012? 6 A. Yes. 7 Q. All right. Which attorney 8 represented you in that accident, or your mom? 9 Do you know? 10 A. In the -- 11 Q. In that lawsuit concerning the 12 car wreck. 13 A. Gina Coggin. I think that's her 14 name. 15 Q. Mr. Howard was asking you 16 earlier about that lawsuit. Do you recall if 17 that case settled? 18 A. I'm not sure. 19 Q. No one has ever discussed with 20 you that any money was paid to you or on your 21 behalf as a result of that case? 22 MR. HARP: Just so the record 23 is -- Gina Coggin originally represented TDH</p>

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<p>1 in that car wreck. Subsequently, Gina Coggins 2 has been replaced by myself and Moses Stone. 3 The lawsuit settled last year. The terms are 4 confidential. And any information that is 5 available to the public is on Alacourt. That 6 will short-circuit these questions.</p> <p>7 MR. STUBBS: It will. That 8 explains a lot, because I figured there was a 9 pro ami settlement.</p> <p>10 MR. HARP: There is.</p> <p>11 Q. (By Mr. Stubbs) As far as this 12 particular lawsuit that we are here about 13 today, I know you have two very reputable 14 attorneys representing you.</p> <p>15 Have you discussed this incident 16 with any other attorneys?</p> <p>17 A. No.</p> <p>18 MR. STUBBS: Let's go off the 19 record for a moment.</p> <p>20 (Whereupon, a discussion was 21 held off the record.)</p> <p>22 Q. (By Mr. Stubbs) Mr. Howard was 23 asking you earlier about traumatic events that</p>	<p>1 A. Yeah. I kind of talk to him 2 like a therapist. Dr. Kelly at Cherokee 3 Health Clinic. I think it's called Cherokee 4 Health Clinic?</p> <p>5 Q. Do you know Dr. Kelly's first 6 name?</p> <p>7 A. Jason.</p> <p>8 Q. When do you first recall 9 speaking or being treated by Dr. Jason Kelly?</p> <p>10 A. After this incident.</p> <p>11 Q. Never before -- never had seen 12 Dr. Jason Kelly before this incident that 13 occurred in January of 2015?</p> <p>14 A. I don't think so. I think -- he 15 was my little sister's doctor at first, and we 16 just kind of like got into it.</p> <p>17 Q. What about any other therapist? 18 Did you see any other therapist prior to 19 January 16, 2015?</p> <p>20 A. That was before, right?</p> <p>21 Q. Correct.</p> <p>22 A. A couple, but it wasn't about -- 23 it was before this.</p>
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<p>1 you may have experienced prior to the January 2 16, 2015, incident. And you mentioned having 3 been hit by a car, correct? Do you remember 4 that?</p> <p>5 A. Yes.</p> <p>6 Q. Anything else in your past, 7 prior to January 16th of 2015, that you 8 consider to have been a traumatic event in 9 your life?</p> <p>10 A. Besides my father passing away, 11 nothing.</p> <p>12 Q. Did you ever see a physician 13 prior to January the 16th, 2015, concerning 14 any emotional problems you were having or 15 experiencing?</p> <p>16 A. I never went and followed 17 through. I never really liked waiting or 18 seeing one. I may have made appointments and 19 stuff, but I never went.</p> <p>20 Q. TDH, do you have what I would 21 consider to be a family physician, somebody 22 you see routinely for your normal aches and 23 pains in life?</p>	<p>1 Q. What were -- what type of 2 problems or issues were you having that led 3 you to speak to the therapist?</p> <p>4 MR. HARP: Object to the form.</p> <p>5 A. Nightmares, anxiety. Just like 6 pretty much that, yeah.</p> <p>7 Q. Do you know the source or did 8 anyone ever determine from a medical or 9 clinical point what was the cause of your 10 nightmares and anxiety?</p> <p>11 A. PTSD is what she would say.</p> <p>12 Q. Post traumatic stress disorder?</p> <p>13 A. (Witness nods head 14 affirmatively.)</p> <p>15 Q. Do you know what particular 16 traumatic event they were discussing? Was it 17 after your car wreck?</p> <p>18 A. Yes.</p> <p>19 Q. I keep calling it car wreck.</p> <p>20 Car/pedestrian accident?</p> <p>21 A. Yes.</p> <p>22 Q. Any time before that 23 car/pedestrian accident did you see a</p>

<p style="text-align: right;">Page 153</p> <p>1 therapist?</p> <p>2 A. I don't think so. No, I didn't.</p> <p>3 Q. The nightmares that you were</p> <p>4 experiencing prior to January 2016, were they</p> <p>5 related to the car accident?</p> <p>6 A. I'm sorry. Repeat that one more</p> <p>7 time. It was a little fast.</p> <p>8 Q. Sure, sure. The nightmares you</p> <p>9 were experiencing prior to January 2016, were</p> <p>10 those nightmares related to the car accident?</p> <p>11 A. Yes.</p> <p>12 Q. Anything else?</p> <p>13 A. No.</p> <p>14 Q. Do you recall the names of any</p> <p>15 other therapists or physicians at Cherokee --</p> <p>16 you said Cherokee --</p> <p>17 A. Health Clinic.</p> <p>18 Q. Health Clinic that you may have</p> <p>19 seen?</p> <p>20 A. No. That was the only one.</p> <p>21 Jason is the only person.</p> <p>22 Q. I may have misunderstood you. I</p> <p>23 don't want to confuse you.</p>	<p style="text-align: right;">Page 155</p> <p>1 I went in there. I talked to her. And she</p> <p>2 was saying that he was the person I would be</p> <p>3 seeing but he only comes once a month. And I</p> <p>4 didn't -- I was trying to be a little bit more</p> <p>5 consistent -- persistent or whatever.</p> <p>6 Q. Do you recall what facility that</p> <p>7 was in Attalla?</p> <p>8 A. It's called CED or something.</p> <p>9 MR. HARP: That's the name,</p> <p>10 CED --</p> <p>11 MR. HOWARD: It's probably CED</p> <p>12 Mental Health Center out on -- out towards</p> <p>13 East Gadsden, towards Hokes Bluff.</p> <p>14 MR. HARP: Stephanie Huey.</p> <p>15 THE WITNESS: Stephanie Huey.</p> <p>16 That's it.</p> <p>17 Q. (By Mr. Stubbs) Other than</p> <p>18 having spoken to Stephanie Huey in Attalla and</p> <p>19 Dr. Jason Kelly in Cherokee --</p> <p>20 A. Stephanie Huey was in Anniston.</p> <p>21 Sorry.</p> <p>22 Q. Okay. Other than speaking with</p> <p>23 Stephanie Huey in Anniston and Dr. Jason Kelly</p>
<p style="text-align: right;">Page 154</p> <p>1 Other than seeing Dr. Jason</p> <p>2 Kelly at Cherokee Clinic, did you see any</p> <p>3 other physicians there at Cherokee Clinic?</p> <p>4 A. No.</p> <p>5 Q. Prior to January of 2015, did</p> <p>6 you see any other therapist? Were you treated</p> <p>7 by any other therapist?</p> <p>8 A. Yes.</p> <p>9 Q. Who was the therapist?</p> <p>10 A. It was at Attalla -- Attalla --</p> <p>11 I forgot what it's called. Her name was</p> <p>12 Stephanie, though. I only saw her one time.</p> <p>13 Q. Do you recall --</p> <p>14 A. The doctor only came once a</p> <p>15 month, and I like was wanting to see somebody</p> <p>16 like more than once a month, you know.</p> <p>17 Q. Were you ever able to see</p> <p>18 another physician more than once a month?</p> <p>19 A. No.</p> <p>20 Q. Other than -- was this -- was</p> <p>21 Stephanie a physician to your knowledge?</p> <p>22 A. She was like his assistant or</p> <p>23 something. Like when I made the appointment,</p>	<p style="text-align: right;">Page 156</p> <p>1 in Cherokee County, have you ever spoken with</p> <p>2 any other therapists?</p> <p>3 A. No.</p> <p>4 Q. After January -- after the</p> <p>5 incident we are here about, after January of</p> <p>6 2015, have you seen a therapist?</p> <p>7 A. No, not besides Dr. Kelly.</p> <p>8 Q. How many times have you seen</p> <p>9 Dr. Jason Kelly since January 2015?</p> <p>10 A. I'd say six times.</p> <p>11 Q. When was the last time you have</p> <p>12 seen him?</p> <p>13 A. Before -- probably last summer.</p> <p>14 Q. The summer of 2015?</p> <p>15 A. Yes.</p> <p>16 Q. Did he end up releasing you from</p> <p>17 his care, or do you know?</p> <p>18 A. I just never went back for a</p> <p>19 follow-up.</p> <p>20 Q. Have you seen any other</p> <p>21 therapist since the last time you saw</p> <p>22 Dr. Jason Kelly?</p> <p>23 A. No.</p>

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<p>1 Q. I ask these questions of 2 everybody so do not be offended. 3 I notice you have a tattoo on 4 your right arm. What is the tattoo? What 5 does it say?</p> <p>6 A. It's my dead father.</p> <p>7 Q. It says Daniel?</p> <p>8 A. Yes.</p> <p>9 Q. What kind of design?</p> <p>10 A. It's praying hands with a dove.</p> <p>11 Q. When did you get that tattoo?</p> <p>12 A. Two months ago.</p> <p>13 Q. All right. Which tattoo artist 14 did the work?</p> <p>15 A. Logan Patty.</p> <p>16 Q. I'm sorry?</p> <p>17 A. Logan Patty.</p> <p>18 Q. Logan Patty? Where does Logan 19 work?</p> <p>20 THE WITNESS: Do you want to see 21 it?</p> <p>22 MR. HOWARD: I'm trying to see 23 it. Just hold on a second. Okay. I see the</p>	<p>1 A. No.</p> <p>2 Q. Prior to January the 16th of 3 2015, have you ever been hospitalized 4 overnight? Ever had to stay in the hospital 5 overnight?</p> <p>6 A. No.</p> <p>7 Q. Prior to January 16 of 2015, 8 have you ever been transported by ambulance to 9 a hospital?</p> <p>10 A. Besides Children's, when I had 11 one seizure before the concert. The first one 12 I had before, like the one right before.</p> <p>13 Q. Make sure I understand. The day 14 -- before you went to the concert on January 15 16, 2015, you had been in the hospital?</p> <p>16 A. That wasn't the day before. It 17 was the seizure -- like I had a seizure that 18 night and then the seizure I had before that, 19 like the incident before. Like a month -- it 20 was like a month or two.</p> <p>21 Q. I remember you talking about the 22 seizure you had -- Ed was asking you was it 23 around Thanksgiving or Christmas?</p>
Page 158	Page 160
<p>1 hand. I was trying to figure out the hand.</p> <p>2 THE WITNESS: I've got to get it 3 touched up but --</p> <p>4 A. He works for Jeremy.</p> <p>5 Q. Do you know where his business 6 is located?</p> <p>7 A. I went to a house.</p> <p>8 Q. He works out of a house?</p> <p>9 A. He used to work in a shop, but I 10 went to his house.</p> <p>11 Q. Do you have any other tattoos 12 other than that one on your right arm?</p> <p>13 A. On my shoulder. It's spera in 14 deo. It means -- it's Latin. Hope in God in 15 latin.</p> <p>16 Q. When did you get that tattoo?</p> <p>17 A. Three years ago.</p> <p>18 Q. Was it before this incident?</p> <p>19 A. Before.</p> <p>20 Q. Do you recall the tattoo artist 21 that did that?</p> <p>22 A. It was Jeremy. The same guy.</p> <p>23 Q. Any other tattoos?</p>	<p>1 A. Yes.</p> <p>2 Q. Where were you when that seizure 3 happened?</p> <p>4 A. I was actually walking down the 5 road.</p> <p>6 Q. Okay. And then was anyone with 7 you?</p> <p>8 A. No. I was -- somebody found me.</p> <p>9 I was right beside my house on Palace Avenue.</p> <p>10 One of my neighbors found me.</p> <p>11 Q. Do you know the name of your 12 neighbor who found you?</p> <p>13 A. No.</p> <p>14 Q. All right. Do you recall being 15 transported by an ambulance to the hospital on 16 that occasion?</p> <p>17 A. Yes.</p> <p>18 Q. Which hospital?</p> <p>19 A. Children's.</p> <p>20 Q. In Birmingham?</p> <p>21 A. Yes.</p> <p>22 Q. I know you testified earlier you 23 can't remember exactly when that was but you</p>

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1 felt like it was in the fall of 2014? 2 A. Yes.	2 to the best of your memory -- I know we are 3 taking you back a few years.
3 Q. What did they do for you when 4 you arrived at Children's Hospital after that 5 seizure in the fall of 2014?	3 To the best of your memory you're 4 at your mom's friend's house when you had your 5 very first seizure; is that fair? When you 6 were 16 years old?
6 A. They ran a test on my heart and 7 then -- a similar test. I'm not sure what 8 they're called. I'm not real sure. I think I 9 had a follow-up with Dr. Bogdanova at Gadsden 10 Regional.	6 A. I don't know. I don't think so.
11 Q. Bogdanova?	8 Q. Okay.
12 A. Yes, Bogdanova.	9 A. I just don't want to -- I mean, 10 it's just a lot, I don't know.
13 Q. I will try to lay down a time 14 line here.	11 Q. You just don't recall when you 12 had your first seizure?
15 Do you know how old you were 16 when you had your first seizure?	13 A. I do. I just don't want to say 14 the wrong thing.
17 A. 16.	15 Q. I understand that. I appreciate 16 you wanting to tell the truth, absolutely.
18 Q. And that was following the 19 car/pedestrian accident?	17 A. It's a lot.
20 A. (Witness nods head 21 affirmatively.)	18 Q. This is not a question. I'm 19 going to lead up to my question.
22 Q. Correct?	20 I would think your very first 21 seizure is something that was traumatic?
23 A. Yes.	22 A. Yeah.
	23 Q. You didn't know what was going
Page 162	Page 164
1 Q. So the best of your memory, you 2 were around 16 when you had your first 3 seizure.	1 on?
4 Where did you get taken -- who 5 was the first doctor that treated you related 6 to seizures?	2 A. Right.
7 A. I don't remember.	3 Q. Is that fair?
8 Q. At what point in time did you 9 start seeing Dr. Russell?	4 A. (Witness nods head
10 A. Right before -- it was like the 11 end of 2014. A little before, maybe like 12 right before my birthday.	5 affirmatively.)
13 Q. Do you recall where you were or 14 what you were doing when you had your very 15 first seizure?	6 Q. Because you had never
16 A. I think I was at my mom's 17 friend's house at a barbecue.	7 experienced a seizure before. So when you had
18 Q. Do you know the name of your 19 mom's friend?	8 one the first time, was it traumatic?
20 A. No.	9 A. Yeah. It was very scary.
21 Q. Male friend or female friend?	10 Q. Do you recall where you were?
22 A. Female. I think it was Leslie.	11 A. But I had 12 seizures within --
23 Q. If you were at Leslie's house --	12 I think nine within like five months.
	13 MR. HARP: Do you recall where
	14 you were when you had your first one?
	15 THIS WITNESS: I think I was at
	16 Leslie's house, but I'm not sure which one it
	17 was.
	18 MR. HARP: That's the best you
	19 can do.
	20 Q. Whenever or wherever you were
	21 when that first seizure occurred, did you get
	22 taken to the hospital?
	23 A. No.

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<p>1 Q. Do you know if your mom was with 2 you at the time you had your first seizure? 3 A. She came. 4 Q. Were you taken to a doctor? 5 A. No, I didn't go to see a doctor 6 until like one of my last ones. 7 Q. What do you mean by that? How 8 many seizures had you had before -- 9 A. I don't remember. 10 Q. You mentioned about having nine 11 seizures within a short period of time, three 12 months? 13 A. Yeah. 14 Q. Did you go see a doctor during 15 any of those first nine seizures? 16 A. Yeah, Bogdanova. 17 Q. The neurologist in Gadsden you 18 think is the first -- you think that's the 19 first neurologist you saw? 20 A. I think that was the first 21 neurologist I have seen. I don't know how 22 many doctors I have seen. I have seen a lot 23 of doctors.</p>	<p>1 Q. The summer of 2015. 2 When prescriptions would be 3 given to you for any reason, would your mom 4 normally get those prescriptions filled at a 5 certain pharmacy? 6 A. I have went to different ones. 7 I'm not sure. 8 Q. Do you recall the names of any 9 of the pharmacies where you have had 10 prescriptions filled or somebody had 11 prescriptions filled for you? 12 A. I don't recall. 13 Q. You testified earlier about 14 Dr. Russell having prescribed Topamax for you; 15 is that correct? 16 A. (Witness nods head 17 affirmatively.) 18 Q. Do you know where you had that 19 prescription filled? 20 A. I think I have been to Walmart 21 before. 22 Q. Which one? 23 A. Or Walgreens.</p>
Page 166	Page 168
<p>1 Q. I may have interrupted you 2 earlier, and I apologize. Who is your regular 3 family physician? 4 A. Dr. Jason Kelley. 5 Q. Is he a general practitioner, 6 Dr. Jason Kelly, or is he a psychologist or -- 7 A. He's my pediatrician. 8 Q. Okay. 9 A. But I talk to him like -- like I 10 was trying to say earlier, I talk to him like 11 he's my therapist. 12 Q. So most everyone has somebody 13 they say this is the doctor I go to most 14 frequently if I have a cold or whatever. 15 A. That's pretty much what he is. 16 Q. Dr. Jason Kelly? 17 A. Yeah. 18 Q. Is he still practicing in 19 Cherokee? 20 A. I'm pretty sure. 21 Q. Do you think the last time you 22 saw him was last summer? 23 A. Yes.</p>	<p>1 Q. Do you know which Walgreens or 2 which Walmart? 3 A. I went to both, East Gadsden and 4 Attalla. 5 Q. Okay. How many times did you 6 take Topamax before you came to the conclusion 7 it just didn't work for you? 8 MR. HARP: Object to the form. 9 Q. I will rephrase that. It was a 10 bad question. 11 I believe you testified earlier 12 it made you feel like a zombie? 13 A. I had took it maybe like a month 14 or two, three months maybe. 15 Q. During the time you were taking 16 it, did you have a seizure? 17 A. No. 18 Q. Do you know Dr. Russell's first 19 name by chance? 20 A. No. I would have known if you 21 didn't ask me. 22 Q. Out of the physicians you have 23 seen or been treated by regarding your seizure</p>

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1 activity, have any of those physicians ever 2 told you to stay away from flashing lights or 3 bright lights?	1 was after. It was this year. 2 Q. When?
4 A. Yes.	3 A. March.
5 Q. Who told you that?	4 Q. March of 2016 you were pulled
6 A. Bogdanova,	5 over for a traffic stop?
7 Q. Has anybody else, any other 8 physician ever told you to stay away from 9 bright lights?	6 A. I think it was April, maybe. 7 Maybe April, one in there. 8 Q. Sometime the spring of this 9 year?
10 A. No.	10 A. Yes.
11 Q. Do you have any count as to how 12 many seizures you have actually had in your 13 lifetime?	11 Q. Which municipality or county 12 pulled you over?
14 A. No.	13 A. Attalla.
15 Q. More than 20?	14 Q. Attalla? Why were you told you 15 were pulled over?
16 A. No. It's less than 20.	16 A. I was speeding.
17 Q. All right. Less than 15?	17 Q. Did you get a speeding ticket?
18 A. If I was to think right now, I 19 can't, no.	18 A. Yes.
20 Q. Has your mom ever asked you to 21 move out of her home?	19 Q. Was the Attalla police officer 20 nice to you?
22 A. No.	21 A. Yes.
23 Q. I'll ask you another way. Has	22 Q. Did you have any problems at all 23 when that officer pulled you over?
Page 170	Page 172
1 she ever told you to leave her home?	1 A. No, none at all.
2 MR. HARP: Object to the form.	2 Q. Did you pay a fine?
3 A. No.	3 A. Yes.
4 Q. Prior to January 16th of 2015, 5 had you ever had any encounters with police 6 officers?	4 Q. Is that the only time in your 5 life you have ever been pulled over as a 6 driver of the vehicle by a police officer?
7 MR. HARP: Object to the form.	7 A. Yes.
8 A. I was never arrested.	8 Q. You mentioned to Mr. Howard 9 earlier about having been a passenger in a
9 Q. I will break it down. Prior to 10 January of 2015 had you ever been stopped by a 11 police officer while driving a vehicle or 12 being a passenger in a vehicle?	10 vehicle that was pulled over by a Gadsden 11 police officer. Was that this year as well? 12 A. No. That was last year.
13 A. Yes.	13 Q. 2015? And was that officer nice
14 MR. HARP: That's compound, 15 driving or passenger?	14 to you?
16 MR. STUBBS: I'll break it down.	15 A. The one who pulled us over, yes.
17 A. Never driving.	16 Q. Any problems with that stop?
18 Q. That's a good way to sum it all 19 up.	17 A. No.
20 I have you ever been pulled over 21 by a police officer for a traffic violation 22 when you were driving?	18 Q. Are there any other times that 19 you have been in a vehicle as a passenger 20 where the driver of that vehicle was pulled 21 over by a police officer?
23 A. No. Oh, I have actually, but it	22 A. Say that one more time.
	23 Q. This was a bad question.

<p>Page 173</p> <p>1 A. Yeah. 2 Q. You mentioned being a passenger 3 in a vehicle last year when the driver was 4 pulled over by a Gadsden police officer. 5 A. Are there any other occasions 6 where you have been a passenger and the car in 7 which you were riding was pulled over? 8 A. Yes. 9 Q. Tell me about that. 10 A. It's happened a couple of times, 11 but it's never been trouble. 12 Q. Just tell me what happened, 13 where you were and what happened. 14 A. A couple years back I was in 15 front of a -- I was in a car with my friend 16 named [REDACTED], and he didn't have a tag light so 17 we got pulled over. 18 Q. Did he get a ticket? 19 A. I think he let us go. 20 Q. Do you know which municipality 21 or county? 22 A. I think it was Southside. 23 Q. Southside? Did anything</p>	<p>Page 175</p> <p>1 with police officers besides that night. 2 Q. I'm not saying problems. Have 3 you ever had an encounter where you have been 4 in a location where the police have been 5 called to come and respond to a call? 6 MR. HARP: Object to the form. 7 Q. In other words, at your house, 8 where you have ever lived? Have police 9 officers ever had to come to your house for 10 any reason? 11 A. Yes. 12 Q. Tell me about those times. 13 A. It was when me and my sister got 14 in an argument. 15 Q. Which sister? 16 A. Mariah. 17 Q. Who made the call to the police? 18 A. My mother. 19 Q. When did that happen? 20 A. 2012, 2013. 21 Q. Before the concert? 22 A. Yes. 23 Q. Is that the only time the police</p>
<p>Page 174</p> <p>1 happen -- was that after the incident -- 2 A. This was a long time ago. 3 Q. Are there any others besides 4 when you were riding with [REDACTED] 5 A. No. 6 Q. What's [REDACTED]'s last name? 7 A. I really don't know. It starts 8 with a K. It's a very weird last name. 9 Q. Have you ever been pregnant? 10 A. No. 11 Q. Have you ever been arrested for 12 anything? 13 A. No. 14 Q. I was asking you about 15 encounters you have had with police officers. 16 I narrowed that down to how many times you 17 have been pulled over or been in a car that 18 was pulled over by a police officer. 19 A. Have you had any other 20 encounters with police officers where they 21 have been called to a scene where you were 22 located? 23 A. I have never had no problems</p>	<p>Page 176</p> <p>1 have ever had to come to your house to respond 2 to a call? 3 A. Yes. 4 Q. What happened when they came? 5 A. My mom just got them to tell us 6 how that we needed to quit fighting and it's 7 not going to -- we are not going to end up 8 nowhere. They are just giving us a life 9 lesson, I guess. 10 Q. Which police department was 11 this? 12 A. Southside. He was like you 13 better -- you better stop or it leads to jail, 14 stuff like that. They put us in handcuffs and 15 stuff. 16 Q. I didn't mean to interrupt you. 17 A. You're fine. Keep going. 18 Q. Is that the only time you can 19 recall police having come to your house to 20 respond to a call? 21 A. Yes. 22 Q. Was Southside? 23 A. Yes.</p>

<p style="text-align: right;">Page 177</p> <p>1 Q. As we sit here today in June of 2 2016, are you taking any medications? 3 A. No. 4 Q. When was the last time you have 5 taken a prescription medication? 6 A. Since Topamax. 7 Q. Do you know the last time you 8 took the Topamax? 9 A. Over a year ago, year and a 10 half. 11 Q. Before or after the concert? 12 A. Before. 13 Q. So after -- after the concert 14 has any doctor prescribed medication for you, 15 for anything? 16 A. No. 17 Q. When you were taken to 18 Children's Hospital, you said you were near 19 your house and a neighbor found you and you 20 were transported by ambulance to Children's 21 Hospital? 22 A. (Witness nods head 23 affirmatively.)</p>	<p style="text-align: right;">Page 179</p> <p>1 She knew where I lived. She recognized me so 2 she went to my mom and they got me. She 3 didn't say nothing. 4 Q. Do you recall having a 5 conversation with any of the medics during 6 that transport? 7 A. No. I was unaware that I was 8 even taken by ambulances until I woke up and 9 my mom told me what happened. 10 Q. What did your mom say to you? 11 Did your mom tell you you had a 12 conversation with her during that time period? 13 A. No. She told me the neighbor 14 found me and she called the police. She said 15 the ambulance brought me to the hospital. 16 Q. Have you ever been the victim of 17 a crime? 18 MR. HARP: Object to the form. 19 A. No. 20 Q. Have you ever charged anyone 21 with a crime or made a complaint that led to 22 charges against someone for a crime? 23 A. No.</p>
<p style="text-align: right;">Page 178</p> <p>1 Q. Did you stay overnight in the 2 hospital? 3 A. No. 4 Q. So the only two times you have 5 ever been transported by an ambulance was that 6 occasion, when you were found by the neighbor, 7 taken to Children's and then the night of the 8 concert; is that correct? 9 A. Yes. 10 Q. Do you recall the transport by 11 ambulance to Children's Hospital? Do you 12 remember that? 13 A. No, not at all. 14 Q. The neighbor that found you -- I 15 know you said you can't remember his or her 16 name. But did that neighbor tell you that you 17 said anything to him or her when they found 18 you? 19 A. No. My mom said it was our -- 20 the neighbor that was like the older neighbor. 21 He was like this old man -- not -- the old 22 woman that has got like five cats. The old 23 woman that lived beside us. She had found me.</p>	<p style="text-align: right;">Page 180</p> <p>1 Q. The concert that you went to on 2 January 16, 2015, who was the artist that was 3 giving the concert? 4 A. Kevin Gates. 5 Q. Kevin Gates? 6 A. (Witness nods head 7 affirmatively.) 8 Q. All right. What type of genre 9 of music does Kevin Gates play or sing? 10 A. Rap. 11 Q. Have you ever seen -- have you 12 ever been to a Kevin Gates concert before 13 January of 2015? 14 A. No. 15 Q. How did you get to the concert 16 that night? 17 A. Me and my friend [REDACTED] we rode 18 with her boyfriend. 19 Q. [REDACTED] was your best friend at the 20 time? 21 A. Yes. 22 Q. What's her last name? 23 A. [REDACTED]</p>

	Page 181	Page 183	
1	Q. You don't have a relationship	1	A. No.
2	with her any longer?	2	Q. How did she get to the concert?
3	A. I do, but it's just we -- we	3	A. I'm not sure.
4	were on -- not really.	4	Q. Did you know she was going?
5	Q. So who is her boyfriend? What's	5	A. Yes.
6	his name?	6	Q. Before -- or after you and
7	A. It's an ex now.	7	████████ and █████ left your house, did y'all
8	Q. Who was it at the time?	8	stop and get anything to eat before the
9	A. █████	9	concert?
10	Q. Do you know where █████	10	A. No.
11	Hives now?	11	Q. You went straight to the
12	A. No.	12	concert?
13	Q. Where -- I misunderstood	13	A. Yes.
14	something earlier. Where were you living on	14	Q. At Center Stages?
15	January 16, 2015?	15	A. Yes.
16	A. █████	16	Q. Had you ever attended a concert
17	Q. In Rainbow City?	17	at Center Stages prior to January 16, 2015?
18	A. Yes.	18	A. Yes.
19	Q. And were you living there with	19	Q. What artist?
20	your mom and two sisters?	20	A. Cory Smith.
21	A. Yes.	21	Q. Anybody else other than Cory
22	Q. And no one else lived there at	22	Smith?
23	the time?	23	A. No.
	Page 182	Page 184	
1	A. No.	1	Q. What type of artist is Cory
2	Q. So █████ picks you up	2	Smith?
3	from your house on █████?	3	A. Country, solely.
4	MR. HARP: Object to the form.	4	Q. Do you know when that concert
5	A. It was █████'s boyfriend. They	5	would have been?
6	had came over. We went to the concert.	6	A. I want to say 2014, but I'm not
7	Q. So the concert was on a Friday;	7	sure. It was a while back.
8	is that correct?	8	Q. It was before the one -- before
9	A. Yes.	9	the Kevin Gates concert?
10	Q. Did █████ drive to your	10	A. Yeah, it was before.
11	house and pick you up to take you to the	11	Q. Have you been back to Center
12	concert?	12	Stages for any type of event since January
13	A. He was there for a little bit	13	2015?
14	before we left, but yes.	14	A. No.
15	Q. Did your mom know you were going	15	Q. Have you been to any concert at
16	to the concert?	16	an arena or coliseum or stadium since 2015 --
17	A. Yes.	17	January 2015?
18	Q. Yes?	18	A. No.
19	A. Yes.	19	Q. Have you been to any sporting
20	Q. And did your sister -- I believe	20	event in a stadium since January 2015?
21	you said your sister also attended the	21	A. No.
22	concert. Did she ride with you and █████ and	22	Q. Have you been anywhere for an
23	████████	23	entertainment setting where there was a large

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1 crowd, more than a thousand people? 2 A. No. 3 Q. Any particular reason why not? 4 A. Because I just don't want 5 <u>nothing</u> to happen.	1 lights, but I don't remember. 2 MR. HARP: Tell him if you don't 3 know. 4 Q. Prior to you and [REDACTED] and [REDACTED] 5 arriving at the concert, did you witness 6 [REDACTED] or [REDACTED] drinking any alcoholic 7 beverages?
6 Q. Are you -- what do you mean by 7 you don't want anything to happen? 8 A. Like nothing crazy like what 9 happened that night at the concert. 10 Q. Are you concerned about a 11 seizure?	8 A. No. 9 Q. Did you drink any alcoholic 10 beverages?
11 MR. HARP: Object to the form. 12 A. I'm concerned about myself and 13 my surroundings.	11 A. No. 12 Q. Did you take any prescription 13 medication before going to the concert?
14 Q. At the Kevin Gates concert, when 15 you arrived, you and Daniel and Emma arrived 16 at Center Stages, do you recall having a 17 conversation with anybody you knew before the 18 concert began?	14 A. No. 15 Q. Did you take any type of drugs 16 before going to the concert?
19 A. I'm sure, but I don't recall -- 20 I can't give you any names.	17 A. No. 18 Q. Correct me if I have
21 Q. Okay. And then when you went in 22 the concert itself, how long were you there	19 misunderstood something, but I think you said 20 you were surrounded by people, dancing at the 21 concert, and then you -- do you recall 22 anything between the time you were dancing and 23 the time that you were on the floor in the
Page 186	Page 188
1 while Kevin Gates was performing before you 2 had a seizure? Had it been going on for a 3 good while, like an hour, or do you know?	1 lobby? Do you have any memory of between I 2 was dancing and the next thing I know I'm in 3 the lobby on my back?
4 A. Not really. He had just kind of 5 started.	4 A. Not really.
6 Q. What kind of lighting was there 7 in the concert?	5 Q. All right. I thought you said 6 earlier about your sister was holding and 7 stroking your hair?
8 A. It was dark.	8 A. Yeah, when I woke up in the 9 lobby, she was.
9 Q. Any kind of strobe lights or 10 lights on the stage?	10 Q. She was there while you were on 11 your back in the floor, stroking your hair?
11 MR. HARP: Object to the form.	12 A. When I woke up in the lobby, 13 yes.
12 A. I don't remember.	14 Q. Were you on the floor? Do you 15 know?
13 Q. Did the people in the audience 14 have flashlights or lighters?	16 A. Yes, I was on the floor.
15 A. Not that I can remember.	17 Q. All right. Where was she -- so 18 if you're lying on your back, what part of 19 your body was she positioned at, your head?
16 Q. You don't recall any kind of 17 lighting at the concert?	20 A. Yeah. She was like sitting 21 behind me, like on her knees, like say her 22 calves are facing like this, and she was like 23 this and had my head in her lap (indicating).
18 A. There was some, but I don't 19 think there was any strobe.	
20 Q. Were the lights moving? Were 21 they fixated lights, or were they moving 22 lights?	
23 A. I don't think they were moving	

<p>1 Q. She was just kind of cradling 2 you?</p> <p>3 A. Yes.</p> <p>4 Q. Do you have any memory of what 5 happened between that memory of your sister 6 stroking your hair and then somebody holding 7 you down?</p> <p>8 A. A blink of an eye.</p> <p>9 Q. Do you have any memory of what 10 happened between --</p> <p>11 A. No.</p> <p>12 Q. I don't want to mischaracterize 13 your testimony. You're dancing, correct?</p> <p>14 A. (Witness nods head 15 affirmatively.)</p> <p>16 Q. You don't remember anything from 17 the time of your dancing and you wake up in 18 the lobby?</p> <p>19 A. I fall to the ground.</p> <p>20 Q. Okay.</p> <p>21 A. That's when I was dancing. And 22 then it's like lights out. I woke up.</p> <p>23 Q. You don't have any memory of</p>	Page 189	<p>1 your sister speaking with someone?</p> <p>2 A. Yes.</p> <p>3 Q. Do you know who she was speaking 4 to?</p> <p>5 A. It was an officer.</p> <p>6 Q. All right. Can you describe 7 that officer? Do you know what he or she 8 looked like?</p> <p>9 A. Bald.</p> <p>10 Q. Okay.</p> <p>11 A. Bald, maybe a buzz cut.</p> <p>12 Q. Tell me everything you remember 13 that your sister said to the officer or the 14 officer said to your sister during that moment 15 of time.</p> <p>16 A. He was asking her what was going 17 on, like what's wrong with her. And [REDACTED] 18 was saying she's having a seizure, she's 19 having a seizure. And the guy was asking how 20 old I was, what my birthday was, what I was 21 allergic to. It was something like that. It 22 was something off like that. But it wasn't 23 long until -- it wasn't much.</p>	Page 191
<p>1 anybody taking you out of the concert?</p> <p>2 A. No.</p> <p>3 Q. To the lobby?</p> <p>4 A. No.</p> <p>5 Q. So you wake up?</p> <p>6 A. Yeah. I wake up, and I can't 7 like really move or say anything, but I'm just 8 like aware of what's going on a little bit. 9 And I heard her over talking to that guy about 10 something -- about how I had medical problems. 11 He was asking her what does she have. And she 12 was like, well, she has seizures. He was just 13 getting my information from her. And that's 14 when I woke up.</p> <p>15 Q. When you first woke up you are 16 on your back and you hear your sister?</p> <p>17 A. I'm flat on my back when I woke 18 up.</p> <p>19 Q. When you first wake up, you feel 20 your sister caressing your hair?</p> <p>21 A. When I first woke up in the 22 lobby, yes.</p> <p>23 Q. Was that the same time you heard</p>	Page 190	<p>1 Q. I mean, do you remember any 2 other conversation other than your sister 3 talking to the officer or the officer talking 4 to your sister about how old you are, what 5 conditions you have?</p> <p>6 A. Yes.</p> <p>7 Q. Anything like that?</p> <p>8 A. I mean, no, I don't remember 9 anything else.</p> <p>10 Q. What was your very next memory?</p> <p>11 A. Him talking about it.</p> <p>12 Q. The officer, the bald officer 13 and your sister?</p> <p>14 A. (Witness nods head 15 affirmatively.)</p> <p>16 Q. Talking about what?</p> <p>17 A. About me, like what we was just 18 talking about, asking her questions about --</p> <p>19 MR. HARP: She described him as 20 bald or buzz cut. She said bald or buzz cut.</p> <p>21 THE WITNESS: Not like bald. He 22 had a little hair, fuzzy, I guess.</p> <p>23 Q. After you hear your sister with</p>	Page 192

Page 193	Page 195
<p>1 the officer with the bald or buzz cut, what's 2 your next memory?</p> <p>3 A. Walking up with my back flat on 4 the ground.</p> <p>5 Q. Do you know if you were in the 6 same location you had been --</p> <p>7 A. No, it was a different one. It 8 was a different one because everything looked 9 different.</p> <p>10 Q. All right.</p> <p>11 A. I know for sure it was in the 12 lobby, but I know that where I was when I was 13 awake, when I was listening to them talk, when 14 I was in the other place was two -- I knew I 15 was tased two totally different ways.</p> <p>16 Q. Prior to January 16th of 2015, 17 did you personally know any Rainbow City 18 police officers?</p> <p>19 A. No.</p> <p>20 Q. Did you even know any of their 21 names?</p> <p>22 A. No.</p> <p>23 Q. As far as that -- as we are</p>	<p>1 the lobby and your sister is caressing your 2 hair; is that correct?</p> <p>3 A. Yes.</p> <p>4 Q. And you remember your sister 5 speaking with someone.</p> <p>6 How do you know that -- that 7 person with whom she was speaking was a police 8 officer?</p> <p>9 A. I could tell by his uniform.</p> <p>10 Q. Describe the uniform.</p> <p>11 A. It was dark blue or black, 12 whatever it is.</p> <p>13 Q. Was there a badge?</p> <p>14 A. Yeah, and a badge.</p> <p>15 Q. Do you know if he had --</p> <p>16 A. A walkie talkie.</p> <p>17 Q. Young or old?</p> <p>18 A. Young.</p> <p>19 Q. Did he ever identify himself?</p> <p>20 Did you ever hear him say who --</p> <p>21 A. I think I know who he is.</p> <p>22 Q. Who do you think it is?</p> <p>23 A. Gilliland.</p>
Page 194	Page 196
<p>1 sitting here today, none of the officers are 2 here. Do you know or have any way of 3 describing which officer was holding your arms 4 or legs or your head? Do you have any memory 5 of that at all?</p> <p>6 A. Maybe if I got shown a picture, 7 maybe. But I can't tell you who it was.</p> <p>8 Q. Okay. So we are at that moment 9 in time when you said you wake up again and 10 you have got -- is that when you said somebody 11 is holding you down?</p> <p>12 A. Somebody has got my neck and 13 somebody has got each arm and each leg.</p> <p>14 MR. HARP: Before you ask that 15 question, can we go ahead and take a break. 16 (Whereupon, a brief recess was 17 taken.)</p> <p>18 Q. (By Mr. Stubbs) Before we went 19 off the record -- I will try to get through 20 this expeditiously.</p> <p>21 You were talking about when you 22 were dancing, you fall in the floor. You 23 don't remember anything until you wake up in</p>	<p>1 Q. Gilliland?</p> <p>2 A. Gilliland.</p> <p>3 Q. Do you know if the person -- did 4 you ever see -- you said you saw the uniform 5 and you saw the buzz cut. Did you ever see -- 6 was this same person one of the ones that was 7 holding you down when you woke back up again?</p> <p>8 A. Yeah, he was the one that was 9 holding my neck.</p> <p>10 Q. Okay. So the one that you said 11 was speaking to your sister when you first 12 woke up and she was caressing your hair was 13 the same one you claim was holding your head; 14 is that correct?</p> <p>15 A. Yes. I'm pretty sure he was my 16 SRO officer when I was in middle school.</p> <p>17 Q. School resource officer?</p> <p>18 A. School resource officer.</p> <p>19 Q. All right. So when you wake up 20 and you're being held, now you seem to 21 remember you think it was Gilliland that was 22 at your head?</p> <p>23 A. Yeah. He's -- yes.</p>

1 Q. Can you identify the names, if
2 you know, of anybody else who was holding you
3 down?
4 A. I don't know any other names
5 besides the one -- the actual one who tased
6 me.
7 Q. What was his name?
8 A. Morris, Officer Morris.
9 Q. Did you learn his name that
10 night or later?
11 A. No, I actually go to school
12 with his son.
13 Q. What's his son's name?
14 A. [REDACTED].
15 Q. Did [REDACTED] ever say anything to
16 you about the incident?
17 A. Yeah. [REDACTED] said -- he told me
18 that his dad was the one who tased me.
19 Q. What else did [REDACTED] say to you
20 about the incident?
21 A. That's it.
22 Q. Is that --
23 A. Something about his dad told him

1 something about it, and then he told me.
2 Q. And that conversation took place
3 on the day you went back to school after the
4 concert?
5 A. No, it wasn't at school. It
6 was -- his girlfriend was actually a friend I
7 had in school. I was over at her house, and
8 he was telling me about it.
9 Q. Was this after you had already
10 gone back to school for one day?
11 A. Yeah. That was after, I think,
12 I had done went to school.
13 Q. You don't remember if [REDACTED] said
14 anything else to you about it?
15 A. No, that was it.
16 Q. So you know someone was holding
17 your head, and you think that was Gilliland?
18 A. Yeah. I just remember -- I
19 remember him being right there.
20 Q. Through the information you have
21 received afterward, you think it was Morris
22 who tased you?
23 A. I know it was him.

1 Q. Do you know the -- can you
2 identify any other officer who may have been
3 holding you down, if not by name but by
4 physical description?
5 A. I'm trying to think. Besides
6 that guy in the plaid shirt.
7 Q. A guy in a plaid shirt?
8 A. Yes.
9 Q. Do you know if he was an
10 officer?
11 A. No. He wasn't wearing a
12 uniform.
13 Q. Do you know who that is, or did
14 he work there or was a patron?
15 A. He said that he had -- he had
16 worked there, because when I was talking to
17 him -- when I was telling him, like, what was
18 going on, he was the only one that said -- he
19 was like I'm a doctor, and I was like what am
20 I still doing here? And he just -- he just
21 ignored me. But he came in. He held my head
22 too. They must have swapped or something.
23 Q. So when you -- your sister was

1 caressing your hair, having a conversation
2 with whom you believe was an officer?
3 A. Officer Gilliland.
4 Q. The next thing you know, you
5 don't remember anything until you wake up and
6 you are being held down; is that correct?
7 A. Yes.
8 Q. Stay at that moment. You said
9 that you remember a guy in a plaid shirt. You
10 are talking to a guy in a plaid shirt; is that
11 correct?
12 A. That was the only other one I
13 could identify.
14 Q. Did the guy in the plaid shirt
15 tell you he was a doctor?
16 A. Yes.
17 Q. What else did the guy in the
18 plaid shirt tell you?
19 A. That he knew what he was doing
20 because when they were -- when he was
21 squeezing my jaw and stuff, I was like -- I
22 was screaming. I was like what are you doing?
23 He said I'm a doctor, just let me do what I

<p>1 need to do.</p> <p>2 Q. Was that at the same time 3 officers were holding you down?</p> <p>4 A. Yes.</p> <p>5 Q. Was that before you were tased?</p> <p>6 A. Yes.</p> <p>7 Q. All right.</p> <p>8 A. Actually, I don't remember. It 9 was before I was tased, yes.</p> <p>10 Q. As far as the actual tasing, did 11 you feel it?</p> <p>12 A. Tasing?</p> <p>13 Q. Yes.</p> <p>14 A. Yes.</p> <p>15 Q. What did it feel like?</p> <p>16 A. It felt like somebody -- like 17 you know how you took -- with those things 18 that have flat heads -- the little tiny -- the 19 little thorny things on the end of it. That's 20 what it felt like, like a rock and put it 21 straight to my chest.</p> <p>22 Q. How long did it last?</p> <p>23 MR. HARP: Object to the form.</p>	<p>Page 201</p> <p>1 right?</p> <p>2 A. (Witness nods head 3 affirmatively.)</p> <p>4 Q. And then after you were tased 5 the second time, what's your next memory? On 6 the gurney? I think you testified earlier you 7 were on the gurney?</p> <p>8 A. Yeah.</p> <p>9 MR. HARP: Object to the form.</p> <p>10 I don't think that's the sequence she 11 testified to earlier.</p> <p>12 Q. I apologize. What's the next 13 thing you remember after you were tased?</p> <p>14 A. After he had tased me the second 15 time, he come down for the third one, and I 16 went to sleep. It was a blackout. It was 17 like lights out. I wake up on the gurney.</p> <p>18 Q. Do you know if you were tased a 19 third time?</p> <p>20 A. I had a third mark, yes.</p> <p>21 Q. Does the picture -- the picture 22 that your friend took on the night of the 23 incident, does it show three distinct marks?</p>	<p>Page 203</p>
<p>1 A. The first one was just like he 2 just touched it. The second one was like a 3 good burn.</p> <p>4 Q. Do you still have any marks 5 related to that tasing?</p> <p>6 A. Not any physical marks that you 7 can see.</p> <p>8 Q. Did you have someone take a 9 picture of those marks?</p> <p>10 A. Yes.</p> <p>11 Q. Who took the picture?</p> <p>12 A. [REDACTED]</p> <p>13 Q. Your friend [REDACTED]?</p> <p>14 A. Yes.</p> <p>15 Q. Where were you when the picture 16 was taken?</p> <p>17 A. At her dad's house.</p> <p>18 Q. On the night of the incident?</p> <p>19 A. Yes. I had just left the 20 hospital.</p> <p>21 Q. All right. Stay with me in that 22 moment. You are being held down, and you 23 remember getting tased. You said twice,</p>	<p>Page 202</p> <p>1 A. Yes.</p> <p>2 Q. Two prongs, three different 3 directions?</p> <p>4 A. Yes. It was the gun -- it was 5 the one that they hold to shoot.</p> <p>6 Q. Do you recall anything about the 7 prongs -- any wires -- did you ever see any 8 wires from the taser?</p> <p>9 MR. HARP: Object to the form.</p> <p>10 A. No.</p> <p>11 Q. All right. So you don't recall 12 feeling a third tase? You just recall seeing 13 somebody coming down --</p> <p>14 A. Yeah, I saw him coming down for 15 the third one.</p> <p>16 Q. And then you said you blacked 17 out?</p> <p>18 A. Yes.</p> <p>19 Q. What do you remember next?</p> <p>20 A. Waking up on the gurney.</p> <p>21 Q. Have you told me, TDH, every 22 conversation or everything that was said that 23 you can remember by the guys that were holding</p>	<p>Page 204</p>

<p>1 you down? 2 You said the guy in the plaid 3 shirt said I'm a doctor, I know what I'm 4 doing. 5 Do you recall anything else that 6 anybody said who was surrounding you or 7 holding you down before you woke up? 8 A. Well, besides them telling me to 9 shut up and quit moving -- I wasn't going to 10 go anywhere. Besides that, no. 11 Q. Who said that? 12 A. Every single one of them. 13 Q. How many do you know? 14 A. I don't know any of them besides 15 -- I don't know any -- I know a couple of 16 them's names, but I have done told you the 17 ones I knew. But they were all ballistic. 18 Q. Ballistic, you said? 19 A. Yes. 20 Q. Have you told me everything you 21 recall them saying to you? 22 A. I mean, I can't remember every 23 single thing, but that's pretty much what they</p>	Page 205	Page 207
<p>1 were telling me to do. They were telling me 2 to just shut my mouth, just lay there and just 3 wait until they were done doing what they were 4 doing. 5 Q. Did you say anything back? 6 A. Why, crying out why. I remember 7 that. 8 Q. Did you say anything else 9 besides why, the word why? 10 A. Let me go, get off of me, I 11 can't breathe. Other than that, nope. 12 Q. Okay: 13 A. I don't remember. 14 Q. You have no memory of saying 15 anything else other than why, let me go, I 16 can't breathe? 17 A. Yes. 18 Q. Is that all you remember saying? 19 A. Yes. 20 Q. Have you told me about 21 everything else that anybody said to you 22 during that moment? 23 A. I don't remember anything</p>	Page 206	Page 208

<p>1 A. I mean besides those side 2 comments, no.</p> <p>3 Q. Like what, what kind of 4 comments?</p> <p>5 A. Like when that did happen, when 6 he said that, I was just saying that's not 7 funny. He was like -- the cops was like this 8 is all publicity. You are going to get to 9 smile at the camera. Sideways comments like 10 that.</p> <p>11 Q. Who said that?</p> <p>12 A. I don't know. I don't know 13 him but --</p> <p>14 Q. Was it a police officer?</p> <p>15 A. Each of them had something to 16 say. I don't know them. I don't know their 17 names.</p> <p>18 MR. HART: Answer his questions. 19 Slow down and listen to his question, okay, 20 and then answer it.</p> <p>21 Q. Yeah. And I know it's been a 22 long day, but this is my only opportunity to 23 get to question you about this incident.</p>	Page 209	Page 211
<p>1 Do you recall any, who you 2 believe was a Rainbow City police officer, 3 saying anything else to you that night?</p> <p>4 A. That I know of, no.</p> <p>5 Q. When you were loaded in the 6 ambulance, who was in the ambulance with you?</p> <p>7 A. These two guys.</p> <p>8 Q. Was any Rainbow City police 9 officer in the ambulance with you?</p> <p>10 A. No.</p> <p>11 Q. Do you recall -- okay -- I know 12 you testified earlier about that the medics 13 didn't take your vital signs?</p> <p>14 A. (Witness nods head 15 affirmatively.)</p> <p>16 Q. Is that correct?</p> <p>17 A. Yes.</p> <p>18 Q. Is that something you 19 consciously remember thinking while you were 20 in the ambulance?</p> <p>21 A. I don't remember -- I don't 22 remember them taking any vitals, but I know -- 23 I mean, I guess they did at Center Stage.</p>	Page 210	Page 212

Page 213	Page 215
1 A. No.	1 Q. Did you ever find out why you
2 Q. So when you arrived at the 3 hospital at what point in time did they remove 4 you from the nine-point restraint?	2 were offered no medical treatment while you 3 were at the hospital?
5 A. After the police left.	4 A. (No response.)
6 Q. And then so were you taken into 7 an examination room?	5 Q. Did you ever question that 6 later?
8 A. They wheeled me in there. And 9 after the cops had left, the doctors came and 10 took all the restraints off.	7 A. I didn't question it at the 8 time, but I did -- I kind of looked back -- 9 but, I mean, I figured -- I don't know.
11 Q. You think it was a doctor that 12 did that?	10 Q. Did you file a complaint or did 11 someone file a complaint on your behalf 12 against the hospital for failure to treat you?
13 A. No, I remember the doctor doing 14 it.	13 MR. HARP: Object to the form.
15 Q. Do you know the name of the 16 doctor?	14 A. No. I don't know.
17 A. No.	15 Q. To your knowledge, did anybody
18 Q. A female or male?	16 question that emergency room physician or the
19 A. Female.	17 medical staff as to why no treatment was
20 Q. Did that doctor treat you in 21 any way?	18 rendered to you that night?
22 A. No, no.	19 MR. HARP: Object to the form.
23 Q. Okay. What were you -- okay.	20 A. I don't know.
	21 Q. You don't know?
	22 A. I don't know.
	23 Q. Did you find that odd?
Page 214	Page 216
1 I'm just -- what were you told? When they 2 took off the restraints, what were you told?	1 MR. HARP: Object to the form.
3 A. They told me if I could find 4 somebody to come get me, to call them now and 5 they would release me.	2 A. I find a lot of things odd.
6 Q. So to the best of your memory, 7 no examination was done on you?	3 MR. HARP: Just answer his 4 questions.
8 A. No.	5 Q. You testified earlier that -- I
9 Q. No one questioned you about what 10 happened?	6 think you used the word you were belligerent 7 in the ambulance? Do you recall saying that?
11 A. None.	8 A. (Witness nods head 9 affirmatively.)
12 Q. And then how did you -- who came 13 to pick you up at the hospital?	10 Q. Why were you belligerent in the 11 ambulance?
14 A. My friend's boyfriend's aunt.	12 A. Because I was strapped all the 13 way down. I couldn't even lift my forehead.
15 Q. Who was that?	14 My mouth was tentatively taped shut, like it 15 was -- my tongue was like halfway -- it was 16 just weird. It was bad. My mouth was taped 17 shut barely enough for me to get any air out.
16 A. I don't remember her name. Kim 17 -- no, I'm not sure.	18 They was like paying no attention to me 19 whatsoever, like I wasn't even in the back of 20 the ambulance.
18 Q. The same guy that picked you up 19 for the concert, his aunt?	21 Q. The medics on the ambulance?
20 A. I'm not sure who it was. I'm 21 not sure who it was, actually. I just	22 A. Yes. They were acting like I 23 was invisible.
22 remember she was able to get me out so she got 23 me out.	

1 Q. Do you recall exactly what you 2 said to them, to the medics?	Page 217	Page 219
3 A. Well, I couldn't really get any 4 words out, but I was screaming, though, 5 because I had all that in my mouth.		
6 Q. Did they say anything to you in 7 response?		
8 A. Nothing at all.		
9 Q. In the past -- I know you have 10 already testified you have not had a seizure 11 since January 16th, 2015.		
12 In the past, when you have had 13 seizures, have you ever almost swallowed your 14 tongue?		
15 A. No.		
16 Q. Do you recall anybody ever 17 telling you they had to put something in your 18 mouth to keep you from swallowing your tongue?		
19 A. No, because that's false.		
20 Q. I'm sorry. Nobody has told you 21 that?		
22 A. No. My doctor told me not to 23 put nothing in my mouth, to leave me on my		
Page 218		
1 side and just let me seize, keep your head at 2 rest, don't touch -- I'm not supposed to be 3 touched or nothing.		
4 Q. All right.		
5 A. They have cases where kids have 6 swallowed spoons, because people put spoons to 7 like hold their tongue down.		
8 Q. Which doctor gave those 9 instructions?		
10 A. Dr. Russell and Dr. Strawn and 11 Dr. Kelly.		
12 Q. Those doctors have always 13 said -- told your mom, I guess, your siblings 14 and yourself to -- not to put anything in your 15 mouth?		
16 A. Nothing, not to touch me at all.		
17 Q. While you were at the hospital, 18 do you know -- you said earlier there was a 19 police officer there; is that correct?		
20 A. Yes.		
21 Q. Do you know if that was a 22 Rainbow City police officer or if he was a 23 security guard at the hospital?		
Page 219		
1 A. I know for sure it wasn't a -- 2 it was the one -- like it was a crew that 3 brought me in. Because when they took me out 4 of the back of the ambulance, the police 5 weren't in the ambulance with me but they 6 escorted me in.		
7 Q. The police -- a police officer 8 or more than one?		
9 A. Like three of them, but I don't 10 know who they are.		
11 Q. Were they the same ones that you 12 saw that night holding you down?		
13 A. Could be. I'm not really sure.		
14 Q. When you said they escorted you 15 in, were you not taken in by a gurney?		
16 A. Yeah. Like they escorted my 17 gurney in. They pushed my gurney in.		
18 Q. And you don't -- can you 19 identify any of those by physical appearance?		
20 A. I couldn't tell you. I don't 21 remember.		
22 Q. Do you recall seeing a patrol 23 car with lights behind the ambulance?		
Page 220		
1 A. No.		
2 Q. All right. When you were taken 3 by ambulance did they have the sirens going?		
4 A. No.		
5 Q. Tell me again everything you 6 remember -- you said they were police 7 officers -- what they said at the hospital?		
8 MR. HARP: Object to the form.		
9 A. Repeat that one more time.		
10 Q. Did these officers, while they 11 were at the hospital, say anything?		
12 A. They were telling the doctor -- 13 I actually don't know what exactly he was		
14 telling them. He was like saying something in 15 his ear, and I asked him what he was saying,		
16 could I get a phone call at least or could 17 somebody call my mom. And he turned around,		
18 and he told me that I was getting a phone 19 call, that I just needed to sit my ass right 20 there, that I needed to be quiet, that I was		
21 going to Mountain View and that -- that if I 22 thought I was getting out of Mountain View, 23 then I'm crazy, because they would literally		

<p style="text-align: right;">Page 221</p> <p>1 monitor an adult who just got -- or who just 2 got out of jail for disorderly conduct. 3 Q. All right. You don't know how 4 to identify this officer who made that 5 statement? 6 A. If there was a picture, I could 7 probably, but I don't remember it. 8 Q. At the hospital do you recall 9 any other conversations that you had with 10 anybody else or somebody had with you? 11 A. None. 12 Q. What about a conversation you 13 overheard? 14 A. None. 15 Q. And you can't recall the name of 16 the person who picked you up at the hospital? 17 A. No. 18 Q. Where were you taken to? 19 A. My friend Emma's dad's house. 20 Q. Any particular reason why you 21 went there? 22 A. Because my mom was in jail. 23 Q. Did you ask to go home? Did you</p>	<p style="text-align: right;">Page 223</p> <p>1 time after 3:00? 2 A. 3:30 maybe. 3 Q. Who tended your -- who attended 4 to you after that seizure while at soccer 5 practice? 6 A. Well, I -- we didn't get that 7 far into practice until -- I mean, I hear her 8 say warm up, and then I guess we would start 9 our jog. And then I woke up looking at the 10 paramedic who was asking me to do this right 11 here (indicating). 12 Q. All right. So somebody called 13 the paramedic to the school? 14 A. (Witness nods head 15 affirmatively.) 16 Q. I assume soccer practice was at 17 school? 18 A. Yes. 19 Q. So a paramedic comes to the 20 school. What does that paramedic or 21 paramedics do for you at the school? 22 A. They asked me what's my name, do 23 I know what day it is, do I have a headache,</p>
<p style="text-align: right;">Page 222</p> <p>1 ask them to take you to your house? 2 A. There was nobody at my house. 3 Q. Do you know where your sister 4 was? 5 A. My sister went and stayed with 6 somebody too. 7 Q. Do you know where she went to 8 stay? 9 A. I think with my older sister and 10 her boyfriend. I'm not sure. 11 Q. The day of the concert, on 12 January 16, 2015, you had gone to school that 13 day? 14 A. Yes. 15 Q. Did you have a seizure at 16 soccer -- was it practice? 17 A. Practice, yes. 18 Q. Was that after school hours? 19 A. Yes. 20 Q. What time would school let out? 21 A. We let out at 2:45. We started 22 practice at like 3:00. 23 Q. Would the seizure occur some</p>	<p style="text-align: right;">Page 224</p> <p>1 if I have pain, what scale, 0 to 10. And they 2 asked me if I felt okay, and I was like, yes. 3 They told me that I don't need to finish 4 practice, that I need to go home and get some 5 rest. 6 Q. How did you get home? 7 A. My mom. 8 Q. So your mom picked you up. Did 9 your mom -- while the paramedics were 10 attending to you at the school, soccer field, 11 did your mom come down there? 12 A. Yes. 13 Q. Was your mom present when you 14 are being attended to by the paramedics at the 15 soccer field? 16 A. Yes. 17 Q. And then so you weren't taken -- 18 did your mom take you to the doctor that 19 afternoon or the 16th of January? 20 A. No. Our doctor's office was 21 closed. 22 Q. Okay. So your mom was aware 23 that you had a seizure at soccer practice,</p>

Page 225	Page 227
1 correct?	1 A. December 11th.
2 A. Yes.	2 Q. Oh, okay. So a month before?
3 Q. Did she express any concern	3 A. (Witness nods head
4 about you going to the concert that night?	4 affirmatively.)
5 A. Yeah. She didn't want me to go.	5 Q. More than a month before this
6 Q. All right. If she didn't want	6 incident?
7 you to go, did you just tell her you were	7 A. Yeah, four weeks.
8 going anyway?	8 Q. So she still -- she wasn't
9 A. No. She had just had surgery so	9 bedridden on January the 16 of 2015?
10 she was like in the bed. And so she wasn't	10 A. She -- to a certain extent.
11 like really -- I didn't really like -- I don't	11 Q. But she was able to come to the
12 know. I think -- I'm pretty sure I told her I	12 school when you had a seizure at the soccer
13 was going somewhere else or something. I	13 field?
14 don't remember.	14 A. Yes.
15 Q. Did your mom -- did your mom	15 Q. Is that correct? When you got
16 know you were going to the concert that night?	16 back home, did she get back in the bed?
17 A. Yes.	17 A. Yes.
18 Q. I misunderstood you, then.	18 Q. But before you left with [REDACTED]
19 A. Yeah. I know I ended up telling	19 and [REDACTED] you told your mom you were going to
20 her, but she -- I kind of like just --	20 the concert?
21 MR. HARP: There wasn't a	21 A. Yes.
22 question. He just said he misunderstood you.	22 Q. What did he say?
23 THE WITNESS: Yeah.	23 A. She just told me to be careful
Page 226	Page 228
1 MR. HARP: Wait for a question.	1 and stick together.
2 THE WITNESS: Okay.	2 Q. Prior to that incident that day
3 Q. Prior to [REDACTED] and her boyfriend	3 at the soccer field on January the 16th, the
4 picking you up, was your mom aware you were	4 seizure you had prior to that was in the fall
5 going to the concert?	5 of 2014?
6 A. No.	6 A. Yes.
7 Q. Okay. Do you recall telling	7 Q. I'm sorry. Yeah, '14.
8 your mom what you were going to be doing that	8 Have you been treated by a
9 night?	9 psychologist or a psychiatrist or a counselor
10 A. Yes.	10 since January 16, 2015?
11 Q. What did you tell her?	11 A. No.
12 A. When?	12 Q. Have you ever been treated by a
13 Q. Before you left the house to go	13 psychologist or a psychiatrist?
14 to the concert?	14 A. Yes.
15 A. Yes, I told her I was going to	15 Q. How old were you when that
16 the concert.	16 occurred?
17 Q. So your mom was aware you were	17 A. 16.
18 going to the concert?	18 Q. Before the concert?
19 A. Yes.	19 A. Yes.
20 Q. You said she had just had some	20 Q. Do you know -- was there any
21 surgery. What kind of surgery?	21 particular event that led to you being --
22 A. Hemorrhoid.	22 seeking treatment? Was it a psychiatrist or a
23 Q. When had she had the surgery?	23 psychologist?

<p style="text-align: right;">Page 229</p> <p>1 A. I don't remember. 2 Q. Whichever profession, do you 3 remember what led to your seeking treatment by 4 a mental health professional? 5 A. I don't remember. 6 Q. How many times were you treated 7 by a psychologist or a psychiatrist? 8 A. I have no clue. 9 Q. Do you know the name of the 10 person? 11 A. The psychiatrist? 12 Q. Yes. 13 A. There's so many doctors, I don't 14 know which one is which. Stephanie Huey. 15 MR. HARP: Are you guessing? 16 THE WITNESS: I have no idea. 17 MR. HARP: I don't want you to 18 guess. 19 Q. Do you know if Stephanie Huey is 20 a psychiatrist or a psychologist? 21 A. I know she's a psychiatrist, 22 because she sees you. 23 Q. Can she prescribe medication?</p>	<p>1 have you been treated at? 2 A. Three. 3 Q. Which ones? 4 A. Children's. 5 Q. Okay. 6 A. Gadsden Regional. 7 Q. Okay. 8 A. I think there is only two. 9 Q. Okay. Children's, was that one 10 occasion? 11 A. (Witness nods head 12 affirmatively.) 13 Q. When you were transferred by 14 ambulance there? 15 A. Yes. 16 Q. And then Gadsden Regional? How 17 many times have you been to Gadsden Regional? 18 A. Two -- two. I mean, I have been 19 there when I was sick, like when I was 20 younger. But two. 21 Q. Have you ever been terminated 22 from a job? 23 A. No.</p>
<p style="text-align: right;">Page 230</p> <p>1 Do you know? 2 A. Oh, I don't know. She's never 3 prescribed me any medication. 4 Q. Did Stephanie Huey ever refer 5 you to another physician for any reason? 6 A. She referred us to Dr. Kelly. 7 Q. That's your general 8 practitioner? 9 A. Yes. 10 Q. Did Dr. Kelly ever refer you to 11 another doctor, say you need to go see this 12 specialist or another doctor? 13 A. Yes. 14 Q. Who did he refer you to? 15 A. I think he referred us to -- no, 16 he didn't. That's the last one we have been 17 stuck with. Not stuck with, but that's our 18 last one that we like. He's cool. 19 Q. How many hospitals have you been 20 in in your life? 21 MR. HARP: Object to the form. 22 Q. Not in your life. Since you 23 have been 14 years old, how many hospitals</p>	<p>1 Q. You mentioned that -- correct me 2 if I'm wrong. The day of the concert you were 3 actually employed at Jack's? 4 A. Yes. 5 Q. In Alabama City? 6 A. Yes. 7 Q. All right. And then when you 8 called -- at what point in time did you call 9 your manager or boss and tell her you were not 10 going to be working Saturday? 11 A. That morning. She actually 12 called me. By the time I had gotten settled 13 in, it was like early in the morning time. 14 Q. You were supposed to have 15 arrived at work at Jack's that morning? 16 A. Yes. 17 Q. Did you get terminated? 18 A. No. 19 Q. Did you ever attempt to go back 20 and work at Jack's? 21 A. No. 22 Q. Why not? 23 A. Just because I didn't.</p>

<p style="text-align: right;">Page 233</p> <p>1 Q. How much time passed between 2 working at Jack's and -- your next job was 3 Lil' Pruell's? 4 A. Next job was Sonic. 5 Q. I'm so sorry. 6 A. That's fine. 7 Q. In Albertville? 8 A. Yes. 9 Q. Is there only one Sonic in 10 Albertville, or are there two? 11 MR. HARP: If you know. 12 A. I don't know. 13 Q. How much time passed between 14 your last day working at Jack's and your first 15 day working for Sonic in Albertville? 16 A. Like a year, year and five 17 months. 18 Q. Why did you leave the job at 19 Sonic? 20 MR. HARP: Object to the form. 21 A. Oh, I had -- I had like a panic 22 attack at work. 23 Q. Okay.</p>	<p style="text-align: right;">Page 235</p> <p>1 Q. When did you start working at 2 Lil' Pruell's? 3 A. Maybe a month ago. 4 Q. All right. You said that. You 5 are still working there? 6 A. Yes. 7 Q. What do you do at Lil' Pruell's? 8 A. I serve. I cook. Anything that 9 they need help with. 10 Q. So you actually serve as a 11 waitress as well as cook sometimes? 12 A. Yes. I mostly stay in the 13 kitchen. 14 Q. Do you like that job? 15 A. Yes. 16 Q. Had any problems there? 17 A. None. 18 Q. No panic attacks? 19 A. No. 20 Q. Have you had a panic attack 21 since the one you had at Sonic? 22 A. One. 23 Q. Do you recall the circumstances</p>
<p style="text-align: right;">Page 234</p> <p>1 A. Yeah. 2 Q. Do you know what brought on the 3 panic attack at work while you were at Sonic? 4 A. It was the first day they were 5 going to let me carhop, and I don't know what 6 happened. But I just tried -- I just walked 7 outside -- something just happened, and I just 8 started crying. I asked her if I could go on 9 break, and I just broke down. 10 Q. Did anybody call a doctor or an 11 ambulance? 12 A. No. 13 Q. Did you go home? 14 A. Yes. 15 Q. Did you just not come -- did you 16 tell them you quit? 17 A. Yes. 18 Q. How long had you worked at 19 Sonic? 20 A. A month. 21 Q. So you told them you're quitting 22 -- didn't want to work there anymore, correct? 23 A. Yes.</p>	<p style="text-align: right;">Page 236</p> <p>1 surrounding that panic attack? 2 A. Excuse me. It was when my car 3 broke down and I had no way to work -- well, I 4 did, but it was just my car, my car breaking 5 down. 6 Q. When was that? 7 A. Like maybe -- like right before 8 I got the Lil' Pruell's job. 9 Q. Do you have your own car today? 10 A. No. It's still broke down. 11 Q. Where were you when you had the 12 panic attack? 13 A. Which one? 14 Q. The one when your car broke 15 down. 16 A. I was in Gadsden. I was right 17 down the road. 18 Q. Did anybody come to assist you? 19 A. No. I just needed to sit down 20 and breathe for a second. 21 Q. Did you ever determine what was 22 wrong with your car? 23 A. Yes. My serpentine belt.</p>

Page 237	Page 239
<p>1 Q. When you went that night -- left 2 from the hospital and went to your friend's 3 house -- have I already asked you what his 4 name was?</p> <p>5 A. ██████████</p> <p>6 Q. ██████████, okay. Do you know 7 where ██████████ works?</p>	<p>1 A. Yes.</p> <p>2 Q. How many other pictures were 3 taken?</p> <p>4 A. I don't know exactly how many.</p> <p>5 Q. What did she use to take 6 pictures, her phone?</p>
<p>7 A. Yes, I think so.</p> <p>8 Q. All right. And when was the 9 last time you have had contact with ██████████?</p> <p>10 A. A week ago.</p> <p>11 Q. So you're still maintaining 12 contact with her?</p> <p>13 A. Yes.</p>	<p>10 A. A week ago.</p> <p>11 Q. So you're still maintaining 12 contact with her?</p> <p>13 A. Yes.</p> <p>14 Q. Do you have any idea if she 15 still has that same phone?</p>
<p>15 A. Dan is ██████████'s dad, yes.</p> <p>16 Q. How did he pass away?</p> <p>17 A. He committed suicide.</p> <p>18 Q. I'm sorry to hear that.</p>	<p>16 A. No. She has a different phone.</p> <p>17 Q. Do you have any idea what 18 happened to her old phone?</p> <p>19 A. Probably broke but she -- she 20 probably has an SD card or something with 21 those pictures on it.</p>
<p>19 Q. Okay. And you said ██████████ took 20 pictures of you that night. How many pictures 21 did he take?</p>	<p>22 Q. Do you know if she has told you 23 she maintained the card out of the phone?</p>
Page 238	Page 240
<p>1 Q. Did you have any marks on your 2 body other than -- you said you had marks 3 related to the taser, correct?</p> <p>4 A. Yes.</p> <p>5 Q. How many marks on your body 6 related to the taser?</p> <p>7 A. I had some on my neck. I had 8 some on my wrist.</p>	<p>1 A. I don't know. I just know that 2 she saves her stuff.</p> <p>2 Q. Did you have any conversation 4 with her dad that night about what happened at 5 the concert?</p> <p>6 A. No.</p> <p>7 Q. And did ██████████ -- I'm sorry I'm 8 being repetitive. Did ██████████ witness the 9 incident?</p>
<p>9 MR. HARP: Listen to his 10 question.</p>	<p>10 A. Yes.</p>
<p>11 THE WITNESS: What did he say?</p>	<p>11 Q. Have you had any -- have you had</p>
<p>12 Q. How many marks related to the 13 taser were on your body?</p>	<p>12 ongoing conversations with ██████████, if any at 13 all, regarding what happened?</p>
<p>14 A. Three.</p>	<p>14 MR. HARP: Object to the form.</p>
<p>15 Q. Three dots?</p>	<p>15 A. No.</p>
<p>16 A. No, six.</p>	<p>16 Q. Have you ever spoken to ██████████ in</p>
<p>17 MR. HARP: Object to the form.</p>	<p>17 detail about what happened that night?</p>
<p>18 A. It was six dots; two of each.</p>	<p>18 A. No.</p>
<p>19 Q. How many pictures of those dots 20 were taken?</p>	<p>19 Q. And you said you haven't spoken 20 to your sister ██████████ about the events that 21 happened that night?</p>
<p>21 A. I think two.</p>	<p>22 A. No.</p>
<p>22 Q. Have you given those to your 23 attorney?</p>	<p>23 Q. As we sit here today in June</p>

<p style="text-align: right;">Page 241</p> <p>1 2016, you wouldn't know what [REDACTED] would 2 have to say about the incident?</p> <p>3 A. Besides what happened, no, sir.</p> <p>4 Q. I mean, have you discussed it 5 with her, gotten her version of what happened?</p> <p>6 A. No. Whatever she knows, that's 7 her -- I don't --</p> <p>8 Q. You don't know what -- she 9 hasn't told you what she saw?</p> <p>10 A. Yeah, yeah, exactly.</p> <p>11 Q. Has [REDACTED] told you what she saw 12 or heard?</p> <p>13 A. No.</p> <p>14 Q. Is that no?</p> <p>15 A. No.</p> <p>16 Q. A couple of personal questions. 17 I'm not trying to offend you in any way.</p> <p>18 Are you in a relationship with 19 anybody right now?</p> <p>20 A. No.</p> <p>21 Q. With a significant other?</p> <p>22 A. No.</p> <p>23 Q. Were you at the time of the</p>	<p style="text-align: right;">Page 243</p> <p>1 A. Well, when I was supposed to 2 move in with that roommate, we was supposed to 3 move into an apartment, but we was in -- I 4 went and stayed with her, but I didn't go stay 5 with her to move in with her. We was getting 6 our own place.</p> <p>7 Q. I'm sorry. How long did you 8 stay with that friend?</p> <p>9 A. A week. But it was back to 10 back, like I was back and forth to my mom's 11 house.</p> <p>12 MR. STUBBS: I think that's all 13 I have. I appreciate it. I know Allison 14 probably has a few follow-ups.</p> <p>15 MR. HARP: We are going to take 16 a break. I have a feeling she is going to be 17 there for a second.</p> <p>18 (Whereupon, a brief recess was 19 taken.)</p> <p>20</p> <p>21 EXAMINATION</p> <p>22 BY MS. CHANDLER:</p> <p>23 Q. TDH, my name is Allison</p>
<p style="text-align: right;">Page 242</p> <p>1 concert?</p> <p>2 A. No.</p> <p>3 Q. Did this incident at the concert 4 disrupt any relationship you had or planned to 5 have with a significant other?</p> <p>6 MR. HARP: Object to the form.</p> <p>7 A. No, no.</p> <p>8 Q. Since January the 16th, 2015, 9 have you lived with anyone else, even for a 10 day, besides your mom and your sisters?</p> <p>11 MR. HARP: Object to the form.</p> <p>12 How do you live with someone just for a day?</p> <p>13 MR. STUBBS: Good objection.</p> <p>14 Let me rephrase that.</p> <p>15 Q. Since January 16, 2015, have you 16 ever moved into another residence with someone 17 with the intent to stay there other than your 18 mom and your sisters?</p> <p>19 A. No.</p> <p>20 Q. It seemed like -- you seemed to 21 hesitate with that. Are you sure about that?</p> <p>22 MR. HARP: Object to the form.</p> <p>23 Q. You can answer.</p>	<p style="text-align: right;">Page 244</p> <p>1 Chandler, and I represent Defendant Justin 2 Gilliland in this case. And Mr. Howard and 3 Mr. Stubbs have been very thorough with you, 4 so I don't have too many questions for you, 5 but I do just have a couple things that I want 6 to follow up on. Okay?</p> <p>7 A. (Witness nods head 8 affirmatively.)</p> <p>9 MR. HARP: Is that yes?</p> <p>10 THE WITNESS: Yes.</p> <p>11 Q. Do you have any -- other than 12 your mother and your siblings that you have 13 already told us about and any of their 14 children, do you have any relatives who are 18 15 or older who live in north Alabama? And by 16 north Alabama, I mean north of Birmingham?</p> <p>17 A. No.</p> <p>18 Q. You told us earlier about -- 19 obviously, we talked at length about your 20 seizures, and you also testified regarding 21 your migraines that you sometimes have.</p> <p>22 Did you have any -- besides 23 those two issues, did you have any significant</p>

<p style="text-align: right;">Page 245</p> <p>1 physical health problems prior to the incident 2 on January 16th, 2015? 3 A. Can you repeat just the 4 beginning of that? 5 Q. Yeah. Other than your seizures 6 and your migraines, did you have any 7 significant physical health problems prior to 8 the incident on January 16th, 2015? 9 A. No. 10 Q. You have already told us about 11 the photographs that [REDACTED] took while you were 12 at her house. 13 Other than those photographs, do 14 you have any other photographs relating to 15 this case in any way? 16 A. No. 17 Q. Do you have any video relating 18 to this case in any way? 19 A. No. 20 Q. Have you reviewed any video 21 depicting the event that took place on January 22 16th, 2015? 23 A. Like what do you mean? Anything</p>	<p style="text-align: right;">Page 247</p> <p>1 A. No, no. Yeah, I -- no, no. 2 Q. What did that video depict or 3 show? 4 A. It was just pretty much telling 5 about what happened and -- pretty much that's 6 it. 7 Q. Was it taken with a cell phone 8 as far as you could tell? 9 A. I'm not sure. 10 Q. Do you know -- since you said 11 I'm sorry -- was her name [REDACTED] or [REDACTED]? 12 A. Either one. I don't know her. 13 I just know her name on Facebook. 14 Q. You don't know her? 15 A. No. 16 Q. Do you know how Kirstin obtained 17 that video? 18 A. It was her. It was a video of 19 her. 20 Q. It was a video of her? 21 A. Yeah. 22 Q. Okay. Did it depict any of the 23 events that took place at Center Stages on</p>
<p style="text-align: right;">Page 246</p> <p>1 to do with it? 2 Q. Anything to do with it, any 3 video depicting any events connected with this 4 lawsuit? 5 A. Yes. 6 Q. What video have you reviewed? 7 A. It was one on Facebook. It was 8 just a girl talking about it, talking about 9 the concert. But that was around the time 10 that it happened. 11 Q. You viewed the video -- it was 12 posted on Facebook? 13 A. Yeah, I think, or YouTube. It 14 was Kirsten Phillips. 15 Q. Was she present at the concert? 16 A. I don't think so. 17 Q. The video was either on Facebook 18 or YouTube? 19 A. Yeah. I think it was on 20 Facebook, and it ended up getting taken off or 21 something. 22 Q. You don't think it's -- it's not 23 on Facebook anymore?</p>	<p style="text-align: right;">Page 248</p> <p>1 January 16th? 2 A. Yeah, like she was speaking on 3 it, speaking on what happened. 4 Q. Was the video just of her 5 talking about what happened? 6 A. Yes, yes. 7 Q. Did it actually show any events 8 took place there that night? 9 A. No, no. 10 Q. Okay. What was -- what did she 11 say in the video? 12 A. She -- I don't think she was 13 there. Just the way she was coming at it was 14 just like talking about it. And she is like 15 Facebook famous, I guess. I'm sure she was 16 just -- I don't know. She was just pretty 17 much talking about what like happened and she 18 was just wanting people to say like what was 19 -- because she was not there obviously or 20 something. I'm not sure. 21 Q. When did you review that video? 22 A. Not too long after that concert. 23 Q. Was it a month after the</p>

<p>1 concert?</p> <p>2 A. Something like that.</p> <p>3 Q. Within a month after the</p> <p>4 concert?</p> <p>5 A. Yes.</p> <p>6 Q. Have you ever met █████ in</p> <p>7 real life?</p> <p>8 A. No, no.</p> <p>9 Q. Did █████ contact you through</p> <p>10 some platform on Facebook?</p> <p>11 A. For -- like for any reason at</p> <p>12 all?</p> <p>13 Q. Yeah. How did you first</p> <p>14 become -- I guess were you Facebook friends</p> <p>15 with her?</p> <p>16 A. Yes.</p> <p>17 Q. Did she ask to be your friend?</p> <p>18 A. Yes. It was before the concert.</p> <p>19 Q. Before the concert?</p> <p>20 A. Yeah, I have been friends -- she</p> <p>21 has got a huge page.</p> <p>22 Q. Where does she live, if you</p> <p>23 know?</p>	<p>Page 249</p> <p>1 many Facebook posts about it.</p> <p>2 MR. HARP: Just wait for a</p> <p>3 question, okay?</p> <p>4 Q. After the concert did she</p> <p>5 contact you in any other way on Facebook other</p> <p>6 than a message? For example, did he write on</p> <p>7 your wall?</p> <p>8 A. No.</p> <p>9 Q. On your profile?</p> <p>10 A. No.</p> <p>11 Q. So after she messaged you, did</p> <p>12 you have any contact with her through</p> <p>13 Facebook?</p> <p>14 A. No.</p> <p>15 Q. Did you tell her anything about</p> <p>16 what happened to you at the concert?</p> <p>17 A. No.</p> <p>18 Q. You didn't give her an account</p> <p>19 of what happened to you at the concert?</p> <p>20 A. No.</p> <p>21 Q. Have you given an interview to</p> <p>22 anyone -- I'm not wanting to know anything</p> <p>23 about what you have discussed with these two</p>
<p>Page 250</p> <p>1 A. I don't even know this girl,</p> <p>2 really.</p> <p>3 Q. Do you know if she lives in</p> <p>4 north Alabama somewhere?</p> <p>5 A. I know she lives in Gadsden, I'm</p> <p>6 guess.</p> <p>7 Q. She is somewhere local. She is</p> <p>8 not outside the state that you know?</p> <p>9 A. No, no, I don't think so.</p> <p>10 Q. Did she contact you via Facebook</p> <p>11 after the concert?</p> <p>12 A. Yes.</p> <p>13 Q. How did she contact you?</p> <p>14 A. She was asking me if I was okay</p> <p>15 -- oh, through message, Facebook message. But</p> <p>16 she was asking me if I was okay. And she was</p> <p>17 asking what else all happened. She had heard</p> <p>18 so much about it, and she was just pretty much</p> <p>19 asking me what happened about it.</p> <p>20 Q. Did you tell her you had been at</p> <p>21 the concert?</p> <p>22 A. No. I actually never replied to</p> <p>23 her. I actually blocked her. There were so</p>	<p>Page 251</p> <p>1 attorneys or any other attorney that you have</p> <p>2 talked with, okay? But have you given an</p> <p>3 interview to anyone about the events that</p> <p>4 occurred to you at the concert?</p> <p>5 A. I don't recall.</p> <p>6 Q. Have you ever given a statement</p> <p>7 to anyone, other than your attorneys, about</p> <p>8 what happened to you at this concert?</p> <p>9 A. No.</p> <p>10 Q. And that includes written</p> <p>11 statements. Have you ever given a written</p> <p>12 statement?</p> <p>13 A. No.</p> <p>14 Q. Any written statements including</p> <p>15 have you ever posted about the events at the</p> <p>16 concert on January 16th, 2015, on any social</p> <p>17 media platform?</p> <p>18 A. No.</p> <p>19 (Whereupon, Defendant's Exhibit</p> <p>20 I was marked for identification and the same</p> <p>21 is attached hereto.)</p> <p>22 Q. All right. I'm going to show</p> <p>23 you and your attorney a document that is going</p>

1 to be marked as Defendant's Exhibit 1.

2 And for the record, we'll just
3 identify this as a screen shot of [REDACTED]
4 [REDACTED]'s Facebook page.

5 MR. HARP: I'm going to object
6 to the introduction of Defendant's Exhibit 1
7 to the extent that this is used as part of the
8 defense of Mr. Gilliland or any other
9 defendant in this case because this has not
10 been produced to us as part of the initial
11 disclosures as required by the rules.

12 Q. I'm going to ask you to look at
13 those two pages and then let me know when you
14 have finished doing that.

15 MR. HARP: While she is looking
16 at it, let me also add an objection to the
17 unauthenticated nature of the post.

18 A. Okay.

19 Q. That's for you to look at right
20 now.

21 Can you turn to page 2 of that
22 document?

23 Do you see about the middle of

1 statement: Here is what happened from TDH
2 herself, and then there is a long block of
3 text that is in quotation marks. Do you see
4 that?

5 A. Yes.

6 Q. Did you recognize any of that
7 account that is given in those quotation
8 marks?

9 A. Yes.

10 MR. HARP: Wait. What are you
11 saying yes to?

12 THE WITNESS: Like I know what
13 it says.

14 MR. HARP: Okay.

15 Q. You're saying yes, that you know
16 what it says as we sit here today?

17 A. Yes.

18 Q. Did you ever give this account
19 to anyone?

20 A. I guess I gave it to [REDACTED].

21 MR. HARP: I don't want you to
22 guess.

23 THE WITNESS: I don't remember

1 the page where it says that here is what
2 happened from TDH herself?

3 A. (Witness nods head
4 affirmatively.)

5 MR. HARP: You have to answer
6 out.

7 A. Yes.

8 MS. CHANDLER: Yeah. Thank you.

9 Q. Do you still maintain that you
10 did not give any account of what happened to
11 you at Center Stages on January 16th, 2015, to
12 [REDACTED]?

13 A. I don't remember telling her
14 this, but -- because I never talked to the
15 girl but -- I mean, I don't know.

16 MR. HARP: If that's your
17 answer, that's your answer.

18 THE WITNESS: Yes.

19 Q. Do you recognize any of the
20 account that's given in the quotation marks
21 below that statement?

22 MR. HARP: Object to the form.

23 Q. No. I'm sorry. After the

1 this, though.

2 Q. And I just want to know what you
3 do know. If you don't know, that's fine. But
4 have you ever seen this account that's
5 included in --

6 A. I have never seen this post
7 right here ever, if that's what you're saying.

8 Q. Okay. Have you ever seen --
9 other than in this post, have you ever seen
10 this account that's in these quotation marks
11 on the second page? Have you ever seen that
12 before in any other form?

13 A. I don't get what you're saying.

14 The account, what does that mean?

15 Q. Okay. Did you tell this story
16 that's listed on this page to anyone?

17 A. No.

18 Q. Did any of the officers present
19 while you were being restrained ask you what
20 drugs you have done?

21 A. Yes.

22 Q. That was one of the things that
23 they said to you while --

<p style="text-align: right;">Page 257</p> <p>1 A. Yes, they were asking me if I 2 did any drugs. 3 Q. Did you respond to that? 4 A. Yes. 5 Q. What did you say? 6 A. No. 7 Q. Did they say anything after that 8 in response to your response? 9 A. They were calling me a liar 10 but -- 11 Q. They called you a liar? 12 A. Yes. 13 Q. Did they say anything else to 14 you regarding taking drugs? 15 MR. HARP: Did you understand 16 the question? I need you to focus on her, 17 okay? 18 THE WITNESS: She is using big 19 words. 20 Q. I'm sorry. So they asked you 21 did you do any drugs or something to that 22 effect, correct? 23 A. Yes.</p>	<p style="text-align: right;">Page 259</p> <p>1 Q. Are you aware if anyone other 2 than your attorney or anyone working for your 3 attorneys has contacted the Rainbow City or 4 the Rainbow City police department regarding 5 this incident? 6 MR. HARP: Object to the form. 7 A. No. I'm sorry. I was confused 8 on what you were asking me. 9 Q. That's okay. Let me rephrase 10 it. 11 Other than your attorneys, has 12 anyone that you know of contacted Rainbow City 13 or the Rainbow City police department 14 regarding this incident? 15 A. No. 16 Q. We have talked a lot about your 17 medical providers. And I'm going to try not 18 to rehash any of that. I say try, though. 19 Have you told us about all the 20 medical providers that you can recall that you 21 visited prior to the incident about seizures? 22 A. Yes. 23 Q. Going to after this incident</p>
<p style="text-align: right;">Page 258</p> <p>1 Q. And you said no? 2 A. Yes. 3 Q. Correct? And then they called 4 you a liar? 5 A. (Witness nods head 6 affirmatively.) 7 Q. Was there any other exchange 8 between you and the officers present regarding 9 taking drugs after that? 10 A. No. 11 Q. Were any of the officers who 12 restrained you wearing glasses? 13 A. I don't think so. I don't 14 remember. 15 Q. So other than the video that you 16 spoke of where [REDACTED] was talking 17 about the incident at Center Stages, other 18 than that, have you viewed any video related 19 to what happened on January 16th, 2015? 20 A. No. 21 Q. After January 16, 2015, have 22 spoken to Detective Gilliland since then? 23 A. No.</p>	<p style="text-align: right;">Page 260</p> <p>1 happened, what all medical providers have you 2 seen regarding any injuries that you allege 3 that you sustained as a result of this 4 incident? 5 A. Dr. Russell. 6 Q. Any others? 7 A. No. 8 Q. And Dr. Russell was your 9 neurologist? 10 A. Yes. 11 Q. Did you see any medical provider 12 for any injuries relating to being tased? 13 A. Dr. Kelly. 14 Q. Okay. Anyone else? 15 A. No. 16 Q. You testified earlier about how 17 you went back to school after this incident 18 but just for a day, and then I believe your 19 testimony was that the other kids at school 20 were making it out to be a drug trip or that 21 the cops were making it out to be a drug trip? 22 A. Yes. 23 Q. What did you mean by that?</p>

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<p>1 A. Like -- like what they did was 2 -- like I was acting -- obviously, like I was 3 having a drug overdose or something. 4 Actually, that's exactly what their words was 5 to me. But that's their thing, was I was 6 acting like that because of drugs. So 7 everybody was thinking, I guess, all that over 8 drugs, and it was not over drugs.</p>	<p>1 A. No. 2 Q. So the only two medical 3 providers that you have seen for any reason 4 connected with any injuries that you have 5 suffered related to this incident were 6 Dr. Russell and Dr. Kelly?</p>
<p>9 Q. Whose words, the police 10 officers' words or the kids at school word?</p>	<p>7 A. Yes.</p>
<p>11 A. The police officers' words. 12 That's why they told me they had me pinned on 13 the ground.</p>	<p>8 (Wherupon, a discussion was 9 held off the record.)</p>
<p>14 Q. They told you that they had you 15 pinned on the ground because they thought you 16 were on drugs?</p>	<p>10 Q. You testified earlier regarding 11 a guy wearing a plaid shirt named Jessie. Do 12 you recall that?</p>
<p>17 A. Yes. They did not pee test me. 18 They did not blood test me. They did not do 19 nothing.</p>	<p>13 A. I don't know. I mean -- I think 14 his name is Jessie. I don't know him.</p>
<p>20 MR. HARP: Just answer her 21 questions, TDH. Don't get upset, okay? Just 22 slow down and answer the questions.</p>	<p>15 Q. Do you know if he works for 16 Center Stages.</p>
<p>23 Q. Did they ask you if you were on</p>	<p>17 A. He said something along those 18 lines, so yeah.</p>
	<p>19 Q. What else did he say to you, if 20 anything?</p>
	<p>21 A. That he just -- basically that 22 was it.</p>
	<p>23 Q. And he was holding your head or</p>
Page 262	Page 264
<p>1 -- strike that. 2 Did they ask you if you were on 3 drugs while you were being restrained, or did 4 they specifically tell you we are holding you 5 down or we are restraining you because we 6 think that you're on drugs?</p>	<p>7 near your head at the time you were being 8 restrained?</p>
<p>7 A. Well, I woke up to it happening. 8 So I'm asking what's going on, what's going 9 on, what's going on. They are sitting there 10 saying are you on drugs, are you on drugs? I'm 11 saying no, I'm not on drugs. Why are y'all 12 pinning me down? We need to see what's really 13 going on. Well, they could -- so.</p>	<p>3 MR. HARP: Object to the form.</p>
<p>14 Q. Did they say anything else to 15 you about being on drugs?</p>	<p>4 A. No, not at the time. No, he was 5 not.</p>
<p>16 A. No. 17 Q. Have you spoken with your sister 18 Niece regarding what happened to you at Center 19 Stages?</p>	<p>6 Q. Was he holding your head at any 7 point?</p>
<p>20 A. No. 21 Q. Have you spoken with your 22 brother Aaron about what happened to you at 23 Center Stages?</p>	<p>8 A. Yes.</p>
	<p>9 Q. When was he holding your head?</p>
	<p>10 A. When he was trying to put gauze 11 in my mouth.</p>
	<p>12 Q. Were you restrained at that time 13 by the --</p>
	<p>14 A. I was pinned down by all the 15 officers still.</p>
	<p>16 Q. By the officers?</p>
	<p>17 A. Yes.</p>
	<p>18 Q. You also mentioned that 19 Detective Gilliland was near your head or neck 20 at some point; is that correct?</p>
	<p>21 A. He was like the first -- he was 22 there at the beginning.</p>
	<p>23 Q. Was it that Detective Gilliland</p>

<p style="text-align: right;">Page 265</p> <p>1 was near your head and then this guy in the 2 plaid shirt came and took his place? Is that 3 how it happened?</p> <p>4 MR. HARP: Object to the form.</p> <p>5 A. No. I remember Officer 6 Gilliland. Actually, no, he never restrained 7 my head. He had me in a choke hold. The cop 8 is the one that had me in the choke hold. The 9 dude -- he was the one that was trying to put 10 gauze in my mouth.</p> <p>11 Q. But there was some point where 12 they were there together?</p> <p>13 A. Together, yes. When that dude 14 couldn't get the gauze in my mouth, Officer 15 Gilliland grabbed my jaw and pinched it and 16 tried to open my mouth. It didn't open.</p> <p>17 Q. At some point did Detective 18 Gilliland leave, and then the guy in the plaid 19 shirt was the only person near your head?</p> <p>20 MR. HARP: Object to the form.</p> <p>21 A. Yes.</p> <p>22 Q. Do you recall what was going on 23 with your body when that occurred?</p>	<p style="text-align: right;">Page 267</p> <p>1 me in the choke hold when they tased me. 2 Jessie was the one who was trying to put gauze 3 in my mouth.</p> <p>4 Q. As I understand your testimony, 5 Detective Gilliland was holding you in what 6 you are calling a choke hold at the time you 7 were being tased?</p> <p>8 A. Yes, he's the one that swcpl me 9 up in the choke hold.</p> <p>10 Q. I believe you testified earlier 11 that you woke up -- after you were tased you 12 woke up on the gurney; is that right?</p> <p>13 A. Yeah.</p> <p>14 Q. And you were restrained on the 15 gurney?</p> <p>16 A. Yes.</p> <p>17 Q. And you had the gauze on your 18 mouth?</p> <p>19 A. Yes.</p> <p>20 Q. How was the gauze -- was the 21 gauze in your mouth?</p> <p>22 A. It was in my mouth and out of my 23 mouth. It was taped, so it was taped so the</p>
<p style="text-align: right;">Page 266</p> <p>1 A. No, I don't remember.</p> <p>2 Q. Was that before you were tased?</p> <p>3 A. The -- he -- he had me in a 4 choke hold -- I don't remember. I just don't.</p> <p>5 MR. HARP: Do you need to take 6 another break?</p> <p>7 THE WITNESS: No. I'm fine.</p> <p>8 It's just so much at one time, the same 9 question over and over again.</p> <p>10 MR. HARP: If you need to take a 11 break, let's take a break.</p> <p>12 THE WITNESS: No. I'm fine.</p> <p>13 MR. HARP: Let's go forward a 14 little bit more.</p> <p>15 Q. (By Ms. Chandler) Just to be 16 clear, you do not recall whether or not 17 Officer Gilliland was either near your head or 18 holding you in a choke hold --</p> <p>19 A. No, he was there.</p> <p>20 Q. At the time you were being 21 tased?</p> <p>22 A. When I woke up, he was there 23 right when I woke up. He was the one that put</p>	<p style="text-align: right;">Page 268</p> <p>1 gauze was over my mouth.</p> <p>2 Q. When was the gauze and tape 3 removed from your mouth?</p> <p>4 A. Removed?</p> <p>5 Q. Removed.</p> <p>6 A. I think when the paramedics were 7 in the hospital.</p> <p>8 MR. HARP: Do you know?</p> <p>9 THE WITNESS: I'm pretty sure it 10 was the hospital.</p> <p>11 Q. How was it that you were able to 12 talk to some of the -- what we are going to 13 call civilians, non officers present, with the 14 gauze in your mouth while you were still at 15 Center Stages?</p> <p>16 A. When did I testify that I spoke 17 to them?</p> <p>18 Q. When you talked about the two -- 19 there were two guys -- you testified --</p> <p>20 A. Talking about when they wanted 21 me in the movie?</p> <p>22 Q. Yeah.</p> <p>23 A. It isn't like I turned around</p>

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1 and said what did you say? It was kind of
 2 like a -- what I was trying to make it out, is
 3 what the words would have been. So like a
 4 huh, something like that probably.

5 Q. Are you seeking reimbursement
 6 for any of your costs related to your visits
 7 to any doctors or other medical providers as a
 8 result of this lawsuit?

9 MR. HARP: Object to the form.
 10 A. I don't know what
 11 reimbursement means.

12 Q. Do you think that you need to be
 13 paid back for the times that you had to go to
 14 the doctor after this incident happened?

15 MR. HARP: Object to the form.
 16 This lawsuit is brought by her mother and on
 17 behalf of her mother. Those questions are
 18 more properly suited for her mother. You can
 19 answer, if you know.

20 A. That's not my intention. But
 21 it's not my place to say either.

22 Q. Prior to -- prior to this
 23 incident in 2015 -- so in early 2015 and 2014,

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1 what was your relationship like with your
 2 mother?

3 MR. HARP: Object to the form.

4 A. When?

5 Q. What was your relationship like
 6 with your mother?

7 A. When?

8 Q. Between 2012 and before this
 9 incident in 2015?

10 A. Same as it is now.

11 Q. Is that what you would consider
 12 a good relationship?

13 A. Yes.

14 Q. Do you argue with your mother?

15 A. Yes.

16 Q. What kinds of things do you
 17 argue about?

18 A. Not wanting to do the dishes.

19 She doesn't let me borrow her car. I get mad.

20 We argue -- I don't want to clean my room.

21 Stuff like that.

22 Q. Is it anything that you would
 23 consider beyond a normal teenager and teenage

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1 daughter and her mother arguing?

2 MR. HARP: Object to the form.

3 A. No.

4 Q. I know Mr. Howard has earlier
 5 asked you about some individuals that may or
 6 may not have information regarding this
 7 lawsuit. And I just have a few follow-up
 8 questions about those.

9 You testified that -- and I'm
 10 sorry if I mispronounce his name. Jaymon
 11 Palmer?

12 A. Jaymon?

13 Q. Jaymon. Was he present that
 14 night?

15 A. He got my mom out of jail.

16 Q. Do you know if he was present at
 17 the concert or during this incident?

18 A. I don't know. I don't remember
 19 seeing him.

20 Q. Do you know where he resides?

21 A. Lives?

22 Q. Yeah, where he lives.

23 A. North Gadsden, I think.

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1 Q. Do you know -- okay. Do you
 2 know the address of your friend [REDACTED]?

3 A. No.

4 Q. Do you know her telephone
 5 number?

6 A. Not her current one.

7 Q. Do you think that her number has
 8 changed since you were more in contact with
 9 her?

10 A. Yes.

11 Q. We talked earlier or you talked
 12 with Mr. Howard earlier about your little
 13 sister's friends. And I'm not remembering her
 14 to say her name.

15 A. [REDACTED]

16 Q. [REDACTED]?

17 A. Yeah.

18 Q. Do you know where she lives?

19 A. No.

20 Q. Do you know her phone number?

21 A. No.

22 Q. For either [REDACTED] or [REDACTED]

23 [REDACTED], even if you don't know their telephone

<p style="text-align: right;">Page 273</p> <p>1 numbers, have them memorized, do you have 2 access to them or do you have them saved in 3 your phone?</p> <p>4 A. No.</p> <p>5 Q. What about [REDACTED]? Do 6 you know where he lives?</p> <p>7 A. No.</p> <p>8 Q. Do you have his telephone 9 number?</p> <p>10 A. No.</p> <p>11 Q. Who is JoAnn Malcomb?</p> <p>12 A. I have no idea.</p> <p>13 Q. You wouldn't know what 14 information, if any, she has regarding the 15 allegations in this lawsuit?</p> <p>16 A. No.</p> <p>17 Q. About anything that happened?</p> <p>18 A. No.</p> <p>19 Q. Okay. Who is [REDACTED]?</p> <p>20 A. One of my sister's little 21 friends.</p> <p>22 Q. Would that be one of [REDACTED]'s 23 friends?</p>	<p>1 A. I don't remember going.</p> <p>2 Q. Do you remember who you saw 3 there?</p> <p>4 MR. HARP: Object to the form.</p> <p>5 A. No.</p> <p>6 Q. You have not made any postings 7 or comments on any form of social media 8 regarding this incident?</p> <p>9 A. Not that I can recall.</p> <p>10 MS. CHANDI JR: I don't have any 11 further questions.</p> <p>12 MR. HOWARD: I just have a quick 13 follow-up, and I will be done. It is raised 14 by the extent that I didn't talk about 15 previous.</p> <p>16 MR. HARP: But that's not our 17 fault. You passed your witness, and I haven't 18 cross-examined her, so I don't think --</p> <p>19 MR. HOWARD: Okay. If that's 20 your stand, that's your stand. Although, I 21 don't know any rule that says I can't ask her, 22 but if you're instructing her not to answer --</p> <p>23 MR. HARP: I'm not instructing</p>
<p style="text-align: right;">Page 274</p> <p>1 A. Yes.</p> <p>2 Q. Was she present at the concert 3 that night?</p> <p>4 A. I think she was. I'm not sure.</p> <p>5 Q. Do you know if she witnessed any 6 of the events of the incident as it relates to 7 you?</p> <p>8 A. I have no idea if she was there 9 or not.</p> <p>10 Q. Who is Nicole Smith? That's not 11 your sister, is it?</p> <p>12 A. No. She had her -- no. I'm 13 sorry.</p> <p>14 Q. Do you know who Nicole Smith is?</p> <p>15 A. No.</p> <p>16 Q. Do you know if she was at the 17 concert that night?</p> <p>18 A. I don't know who that is.</p> <p>19 Q. What is Quality of Life? Is 20 that a doctor's office?</p> <p>21 A. Yes, I'm pretty sure.</p> <p>22 Q. Do you remember why you went to 23 Quality of Life?</p>	<p>1 her not to answer. I'm asking you not to ask 2 the question.</p> <p>3 MR. HOWARD: Well, it's legit, 4 and it's something that I want to know. I 5 will keep it short.</p> <p>6 MR. HARP: You know what? Go 7 ahead. Answer his questions, and then I will 8 have some questions for you. It's late in the 9 day.</p> <p>10 MR. HOWARD: If you want to go 11 ahead, I will wait until after you are done. 12 I actually figured you weren't going to ask 13 any. That's why I blurted it out. But if you 14 are, please go ahead. I didn't mean to get in 15 front of you.</p> <p>16 MR. HARP: That's okay. Go 17 ahead and ask your question.</p> <p>18</p> <p>19 EXAMINATION</p> <p>20 BY MR. HOWARD:</p> <p>21 Q. The [REDACTED] lady -- if 22 you look at this exhibit -- it looks like it, 23 anyway, that she posted something saying last</p>

<p>1 night this concert, this -- all this stuff 2 happened? 3 A. (Witness nods head 4 affirmatively.) 5 Q. Do you have any idea how [REDACTED] 6 [REDACTED] came up with her information? 7 A. No. 8 Q. Do you have any memory of typing 9 out -- well, typing out on a keyboard or on a 10 phone this long statement that we looked at? 11 A. I don't remember. 12 MR. HOWARD: Okay. That's it. 13 14 EXAMINATION 15 BY MR. HARP: 16 Q. Let me just ask you a quick 17 question about Defendants' Exhibit 1. 18 In looking at Defendants' 19 Exhibit 1, do you see any type of date on this 20 posting or on this alleged posting? 21 A. No. 22 Q. Looking at Defendant's Exhibit 23 Number 1, do you see any user ID that</p>	<p>Page 277</p> <p>1 MR. HARP: That's all I have. 2 MR. HOWARD: That's it. 3 (Whereupon, the deposition 4 concluded at 3:54 p.m.) 5 (FURTHER DEponent SAID NOT) 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23</p>
<p>1 indicates that you have visited [REDACTED] 2 [REDACTED] -- I assume this is a -- 3 Let me you this: Do you know 4 what type of posting or social media platform 5 this posting was made to? 6 A. I'm guessing based on -- 7 Q. I don't want you to guess. Do 8 you know? 9 A. Facebook. 10 Q. How do you know it is Facebook? 11 A. Because of the notifications 12 right there. 13 Q. Do you see your user name on 14 either page 1 or page 2 of Defendant's Exhibit 15 Number 1? 16 A. No. 17 Q. Do you have any idea who [REDACTED] 18 [REDACTED] is? 19 A. No. 20 Q. Do you have any recollection of 21 ever having a conversation with [REDACTED] 22 [REDACTED]? 23 A. No, sir.</p>	<p>Page 278</p> <p>1 2 3 STATE OF ALABAMA) 4 ETOWAH COUNTY) 5 I hereby certify that the above 6 and foregoing proceeding was taken down by me 7 by stenographic means; and that content herein 8 was produced in transcript form by computer 9 aid under my supervision, and that the 10 foregoing represents, to the best of my 11 ability, a true and correct transcript of the 12 proceedings occurring on said date at said 13 time. 14 I further certify that I am 15 neither of counsel, nor of kin to the parties 16 to the action; nor am I in any way interested 17 in the result of said cause. 18 19 20 /s/ Elizabeth Law Lankford 21 Elizabeth Law Lankford, CCR 22 Court Reporter and Commissioner 23 ACCRE# 214, Expires: 9-30-2016 Commission Expires: 11-4-2017</p>